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Tuesday, September 15, 1981
Bhadra 24, 1903 (Saka)

LOK SABHA DEBATES

**Sixth Session
(Seventh Lok Sabha)**



सत्यमेव जयते

LOK SABHA SECRETARIAT

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LOK SABHA

Tuesday, September 15, 1981, Bhadra
24, 1903 (SAKA)

The Lok Sabha met at Eleven of the
Clock.

[MR. DEPUTY-SPEAKER in the Chair]

ORAL ANSWERS TO QUESTIONS

Conversion of branch Post Offices in-
to sub-Post Offices in Balasore Dis-
trict (Orissa)

*436, SHRI ARJUN SETHI: Will
the Minister of COMMUNICATIONS
be pleased to state:

(a) the number of proposals lying
pending with Government for con-
version of Branch Post Offices into
Sub-Post Offices with P.C.O. facilities
in the district of Balasore (Orissa);

(b) the names of such places; and

(c) the reaction of Government
thereto?

THE DEPUTY MINISTER IN THE
MINISTRY OF COMMUNICATIONS
(SHRI VIJAY N. PATIL): (a) Two
requests from the public for upgra-
dation of Branch Post Offices into
Sub-Post Offices with P.C.O. facili-
ties in this District are under consi-
deration.

(b) Jagai and Paduan.

(c) Postmaster-General, Orissa
Circle, has asked the concerned Sup-
erintendent of Post Offices to submit
detailed proposals in the two cases.

2044 LS—3

SHRI ARJUN SETHI: Mr. Deputy-
Speaker, Sir, I must say with due re-
gard to the hon. Minister that this
answer is incomplete. So, may I ask
the hon. Minister whether the Gov-
ernment will consider the suggestions
made by the local representatives
such as M.L.As. and M.Ps. for conver-
sion of these Branch Post Offices into
sub-Post Office with P.C.O. facilities?
To my knowledge, I have made more
than 15 suggestions to the hon. Min-
ister as well as to the P.M.G., Orissa
Circle. I would like to know whe-
ther these suggestions are being con-
sidered along with the proposals which
the hon. Minister has mentioned in
his reply.

THE MINISTER OF STATE IN THE
MINISTRY OF COMMUNICATIONS
(SHRI KARTIK ORAON): Sir, the
hon. Member has said that the ans-
wer is not complete. In fact nothing
can be complete no matter how big
the answer may be.

MR. DEPUTY-SPEAKER: With
regard to Orissa only.

SHRI KARTIK ORAON: As far as
the net work of post offices in Orissa
is concerned, it has got every large
network.

MR. DEPUTY-SPEAKER: With re-
gard to Orissa only.

SHRI KARTIK ORAON: Yes,
Orissa only. As was requested by the
hon. Member, every suggestion sent by
the hon. Member is given due care
and is taken into consideration. But
there are certain guidelines beyond
which we cannot go.

As far as the upgradation of the
post offices is concerned, I think the

Jagai Branch post office is being provided PCO, and at present there is no PCO there. In Paduan there are already PCO facilities. There are a large number of proposals already in hand with us and we have to consider them.

The Orissa PMG's Telecom Circle Bhubaneswar, has intimated that PCO have been sanctioned at the following 13 post offices at Balasore district. What more does he want?

1. Ertal
2. Jayda Kesade
3. Gadu
4. Harigaon
5. Kharsapur
6. Bishnupur
7. Chaumukhe
8. Jamidiha
9. Parikhi
10. Jamkunda
11. Bansada
12. Jayrampur
13. Mismatikrshnpur

A PCO is also sanctioned for village Ramasahi (right up to the village) which does not have a post office so far.

SHRI ARJUN SETHI: Sir, the hon. Minister has just now stated that PCOs and sub-post offices are opened with certain prescribed guidelines. In this context may I draw the attention of the hon. Minister to the Eleventh Report of the Estimates Committee, 1980-81 on the Ministry of Communications? It has been suggested there that while opening PCOs as well as sub-post offices, they should not merely be guided by revenue considerations. They must consider the human aspect along with the remoteness of the areas and also the inaccessible areas of the country. May I know from the hon. Minister whether he will remove the guidelines. They have prescribed certain norms—for villages with more than 2,000 po-

pulation there will be PCO facility. Similarly for sub-offices there are guidelines. Will the hon. Minister remove these guidelines prescribed for the opening of PCOs and Branch Offices specially in view of the backwardness and other considerations in Orissa which have been given by the Committee?

SHRI KARTIK ORAON: So far as the guidelines are concerned, they are already set. We could not do what the recommendations of the Committee.... (Interruptions)

The guidelines are there. (Interruptions)

Let me complete the answer.

The categories of stations are there. There are six stations without any consideration of loss of revenue and population.

District Headquarters, Sub Divisional Headquarters, Tehsil Headquarters, Sub-Tehsil Headquarters and Block Headquarters places with population of 5,000 and more in ordinary areas and 2,000 and more in backward and hilly areas.

Police Station under the charge of officer in the rank of Sub-Inspector of Police and above the anticipated revenue should be at least 25 per cent of annual recurring expenditure in ordinary areas and 15 per cent and 10 per cent of annual revenue expenditure in backward and hilly areas respectively. For the outer places the distance should be beyond 40 kilometres from the existing exchange and anticipated revenue should be at least 25 per cent of annual revenue expenditure in ordinary areas and 15 per cent of annual revenue expenditure in backward areas and 10 per cent of annual revenue expenditure in hilly areas.

SHRIMATI JAYANTI PATNAIK: What is the number of PCOs and sub P.C.Os opened during the last year and to be opened in the Sixth Five Year

Plan in Orissa? Has the last year's target been achieved? What is the amount allocated under the Head during the current financial year?

SHRI KARTIK ORAON: I very much appreciate the anxiety of the hon. Member. But we would like to have a separate notice for this. (*Interruptions*)

DR. KRUPASINDHU BHOI: The hon. Minister has avoided the answer to the question put by the hon. Member Shrimati Patnaik saying that he wants a separate notice for this. The Minister should have been equipped with all the information when the question has been asked about Orissa. Definitely the Communication Department is very unsympathetic towards the cause of Orissa. We have been asking questions but the reply for the last one year remains the same. I will urge upon the Minister in future whenever question is asked he should be equipped with all the data, statistics, information about backward States like Orissa. He has given very flowery description about the guidelines which have been enshrined in his Department. In view of this I would like to know from the hon. Minister categorically how many P.C.Os and Sub Post Offices are going to be opened next year particularly in Balasore District which my colleague has asked and what are the proposals given by the hon. Members of Parliament and Members of the Legislative Assembly according to their guidelines?

THE MINISTER OF COMMUNICATIONS (SHRI C. M. STEPHEN): I am sorry the information asked for is something I cannot immediately take out of my hat. The question is a very restricted one whether I have received proposals for opening Sub-Post Offices in this particular district. This is a limited question. Beyond that, I could not gather further information at all. It is a very limited question and to that an answer has already been given.

As far as the statistics in regard to post offices are concerned, this area is very well served. For example, in that particular district, there are 284 gram panchayats and, out of them, 232 gram panchayats are served with post offices. This area is fairly well served. You do not get a comparable measure of service in many other States, in many other areas. As far as the new post offices are concerned, we have received a large number of proposals. The question is, post office with a PCO. We have received proposals for Sub-Post Offices. There are about 18 or 20 with us. It is not the question of an area not being served with post office. There is already a branch post office. What is asked for is upgradation to a sub-post office. If the upgradation has got to be made, then there should be a measure of work that must be discharged there. If the work is there, the upgradation can be done. The upgradation means additional expenditure. It is not the question of an area not being served. The area is served by a post office. It is an upgradation that is asked for. It will mean a little more money to the employees there. No other particular service is to be given to the people concerned. As far as the people are concerned, the area is adequately served. Every one of the proposals which are before us is being examined and to the extent possible, it will be done.

As regards hon. lady member's question, I will collect the information and pass it on to her.

Loss suffered by public Fertilizer Corporations

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437. SHRI S. B. SIDNAL:

SHRI S. M. KRISHNA:

Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether it is a fact that the public sector fertilizer corporations had suffered record losses in the year 1980-81;

(b) if so, the amount of losses and the reasons therefor;

(c) the steps proposed to be taken to better the performance of the fertilizer plants and achieve full capacity utilization; and

(d) the details thereof?

THE MINISTER OF PETROLEUM, CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI): (a) and (b). 4 of the 7 public sector fertilizer companies incurred a loss of about Rs. 198.29 crores during 1980-81. The other 3 companies made a post tax profit of Rs. 27.06 crores. The net loss is, therefore, Rs. 171.23 crores. The main reasons for the losses are the low capacity utilization on account of non-availability of feedstock due to the Assam agitation, power cuts imposed by the various State Governments, non-availability of other inputs like coal and equipment problems and design constraints.

(c) and (d). Power cuts have been removed by most of the State Governments. The supply of feedstock and inputs to the fertilizer plants has been augmented to the required level. Steps are also being taken to increase capacity utilisation by removal of inbuilt constraints through plant operation improvement programmes, debottlenecking schemes, and installation of captive power generation facilities.

SHRI S. B. SIDNAL: May I know what is the loss suffered by the private-owned fertiliser factories during the same period and, if they are running on profit or marginal loss, the hon. Minister think that the loss suffered by public sector fertiliser corporations is due to inefficiency of the administration in the fertiliser plants?

AN HON. MEMBER: That is obvious.

SHRI P. C. SETHI: That is not so it is not inefficiency of the fertiliser plants or of the management as such.

There are a few plants which are, in fact, very old. For example, the Sindri Fertiliser factory. Although we modernised the Sindri Fertiliser factory, its production has not stabilised. Similarly, Durgapur plant is a constant sick child. Then, there is the FACT in Kerala which is an old plant. These constraints are there and, therefore, these problems are there. With regard to Talcher and Ramagundam plants, these are two coal-based plants and these plants have been recently started. One of them, which was started a few months back, has given a rated capacity of 27 per cent. But Talcher is giving only 7 per cent capacity. These are the constraints. Actually, this year, the position is very good as compared to that of last year. We had a production of about 20 lakh tonnes of nitrogenous fertiliser. We are hoping to produce about 30 lakh tonnes of nitrogenous fertiliser this year.

SHRI S. B. SIDNAL: Are the losses that are incurred by the plants not a factor for the rising cost of production which will be imposed on the farmer and borne by the farmer and what are the remedial measures taken by the Government?

SHRI P. C. SETHI: No, sir. The continuous losses have to be borne by the plants. There is a formula of retention prices. On account of these losses, the production price of fertiliser does not increase.

SHRI S. M. KRISHNA: The figures released by the Hon. Minister are much too disturbing. The total losses 1980-81 amount to Rs. 171 crores. It is by no means a small figure. I would like to know from the Minister if at the rate at which most of our public sector undertakings are sustaining losses, he agrees with me that there is a steady erosion of the faith of the people in the management of these public sector undertakings?

The Minister said that there is no capacity utilisation because the feed-

stock was not available and he also mentioned about the power cuts which were imposed by the various State Governments. These power cuts are becoming a continuous affair. I would like to know from the Minister whether, in order to remove the power cuts which the various State Governments are going to impose:

(a) any effort has been made to instal generators so that these fertiliser factories could generate their own power without being at the mercy of the State Electricity Boards which have been very erratic of late; and

(b) As regards the management of these public sector undertakings, has the Minister given any thought to it to professionalise the top management of these industries instead of totally depending upon posting bureaucrats who are not accountable because there is security of tenure for them.

SHRI P. C. SETHI: As far as the efficiency of the plant and the management is concerned I would like to quote figures which would indicate the position.

In Gorakhpur, the production in 1980-81 was 30.8 per cent on account of restriction supply of naphtha. Now with the increased supply, the position in April—July, 1981-82 has improved and the production has gone up to 57.3 per cent capacity utilisation.

In the case of Barauni which was also closed because of the Assam trouble, the capacity utilisation was 4.5 per cent in 1980-81 April—July. Now this has gone up to 46.5 per cent in April—July 1981-82.

Similarly, Nangal-II capacity utilisation was 20.05 per cent in April 1980-81. Now after the supply position and the power position has increased, the capacity utilisation has gone up to 79.5 per cent.

This shows that even though there are constraints of machinery, they

have got the capacity utilisation programme which is better than last year in all plants.

Panipat was 0 per cent. It has gone up to 66.6 per cent.

With regard to the second question which the Hon. Member has asked, the Bureau of Public Enterprises selects the management personnel and, therefore, there is no question of sending only the bureaucrats but, the people who are experienced in the line are selected even from outside.

With regard to the question of setting up of generators, we have taken action. For example, we have set up a generation plant in Durgapur and for the plants at Haldia, West Bengal, we could not get power right from the beginning. We have installed power generation capacity and we are taking steps to see that power generation is installed in such places where there is a constant fear of losing power.

SHRI A. K. ROY: One of the sick children of the FCI, Sindri, falls in my constituency. It is not only lack of feedstock, but lack of proper planning also, that contributes to the loss of FCI. Sindri and Durgapur are in the coal belt, but, there, the feedstock is petroleum-based. In view of the fact that the coal gasification plant of Ramagundam is giving better results now, may I know whether you would re-think and start or instal coal gasification plants also side by side with your present set-up in Sindri and Durgapur, so that, even when you do not get the petroleum feedstock, you can run your sick plant with coal gasification plant?

Secondly, you have stated that your loss is Rs. 171 crores last year, and you have also cited some reasons for that. Have you got the break-up of the losses attributable to different causes, how much loss is owing to non-availability of feedstock, how much on account of non-availability of power, how much on account of

[Shri A. K. Roy]

Industrial unrest, how much on account of lack of planning, etc. Can you give the break-up?

SHRI P. C. SETHI: I do not have the break up. But I can tell the hon. Member that, for example, on account of the Assam situation, Namrup-I work suffered, Namrup II remained closed. Sindri modernisation remained closed between January 1980 and September, 1980. Barauni remained closed. Gorakhpur could not run at full speed. Panipat and Bhatinda expansion suffered because of want of feed-stock. With regard to power problem, Talcher, Ramagundam, Gorakhpur and Barauni suffered. On account of equipment problems, Talcher and Ramagundam, which are comparatively new plants based on coal suffered. Durgapur production has been constantly affected because right from the beginning there has been equipment trouble; although an end to end survey has been done by the foreign consultants, the position has not yet improved. There are some problems with regard to Unions in Durgapur also. However, that is not coming in the way of production, it is basically the other questions that come in the way.

As far as the question of having coal-based gasification plant is concerned, Talcher and Ramagundam have been established and we have to see the results of both these plants. Fortunately, Ramagundam has come up to 27 per cent utilisation capacity. Therefore, the question of considering any further coal-based plant would come up only after seeing the results because coal is a more costly feed-stock as compared to gas, and since gas is available, the policy is to have new plants based on gas.

SHRI KRISHNA CHANDRA HALDER: The hon. Minister has stated that, out of seven, four companies are incurring losses. I want to know the loss or profit made by the Hindustan Fertilizer Corporation. I am from

Durgapur. He has mentioned that Durgapur is a sick child. As President of the Union of Hindustan Fertiliser Corporation, which is now a recognised Union, I have written a letter to him to remove the Sickness of Durgapur, but he has not yet taken proper steps. Our Union not only fights for the workers but also for improvement of production. Two years back, they had installed the NPK plant in Durgapur, but it has not yet started production. When will it start production?

Hindustan Fertiliser Corporation consists of Durgapur, Haldia, Barauni and Namrup plants and the Head Office is situated in Delhi. One of the reasons for HFC's losses is because the Head Office is located at Delhi. Our West Bengal Government.

MR. DEPUTY-SPEAKER: What is your question?

SHRI KRISHNA CHANDRA HALDER: The question I am putting, Sir.

The West Bengal Government has offered a place for the Head Office and also quarters in Salt Lake. I want to know from the hon. Minister when the NPK plant of Durgapur will start production as also the Haldia Plant and when the Head Office of Hindustan Fertiliser Corporation would be shifted to Calcutta. I want to have a categorical answer.

MR. DEPUTY-SPEAKER: your question was not categorical.

SHRI P. C. SETHI: As far as the total losses of HFC are concerned, for 1978-79 the loss was Rs. 22.52 crores. 1979-80— 36.23 crores and 1980-81—Rs. 54.06 crores. As far as the modernisation which has taken place in Durgapur. . .

AN. HON. MEMBER: What about expansion?

SHRI P. C. SETHI: Expansion is not going to take place. Modernisation has taken place and that plant is going to start shortly.

As far as Haldia fertiliser plant is concerned, the West Bengal Government was committed to give power to this plant since 1979. Unfortunately they have not been able to give us power as yet with the result that we have now sanctioned a 20 megawatts generation set there based on turbine. Later on we want to have a full-fledged thermal power station there which will take 3-4 years. Now the complete machinery and equipment with regard to this turbine have come from UK and it is under installation and we hope that by February 1982 we will be able to start commercial production from this plant.

With regard to the shifting of the head office, I am sorry that position is not yet clear because this question is being discussed and it has a lot of implication and, therefore, this question is still pending.

SHRI SONTOSH MOHAN DEV: Why not shift it to Assam?

SHRI P. C. SETHI: With regard to the NPK plant it is going to be started shortly.

SHRI XAVIER ARAKAL: Every year there is a loss of over Rs. 200 crores and there are so many reasons cited. But I find lack of coordination is the main cause for this huge loss. For example, one of the oldest fertiliser factories of India is the FACT of Udyogmandal. It is over 35 years old and its equipment and machinery are as old as the factory itself and over 3000 employees are working there. Unless immediately modernisation is resorted to, the entire factory will collapse and that will be a great loss to the country. There is a proposal to diversify the production there but that will not solve the fertiliser problem of our region.

Therefore, my question is: what does the government propose to do to modernise FACT of Udyogmandal?

(2) What has happened to the caprolactum project proposed to be set up there?

SHRI P. C. SETHI: From our experience in Sindri modernisation, we have come to the conclusion that modernisation of FACT would be a decision which would not be a good decision because the plant is too old and now to inject money for the revival of the plant is rather futile. Of course, we are aware of the difficulties of the workers who are engaged there, numbering 2500 to 3000. That is why a decision has been taken to diversify the production from the FACT. We are going to give them a caprolactum plant and other petro-chemical complexes there.

श्री राजेन्द्र प्रसाद यादव : मैं मंत्री महोदय से यह जानना चाहता हूँ कि देश में उर्वरकों की बढ़ती हुई मांग को देखते हुए क्या सरकार यह सुनिश्चित व्यवस्था करेगी कि सरकारी क्षेत्र के जो इन के कारखाने हैं, उनकी जितनी कैपैसिटी है, उसकी पूर्ति वे करें और क्या सरकार को इस बात की जानकारी है कि हमारे बिहार में बरौनी और उत्तर प्रदेश में गोरखपुर के जो उर्वरकों के कारखाने हैं, वे भ्रष्टाचार के अड़्डे बने हुए हैं और क्या सरकार उनके बारे में कुछ करना चाहती है ?

SHRI P. C. SETHI: Sir, as far as the capacity of the present plant is concerned, apart from the present plants, we are also having in the Sixth Plan period, eight more fertilisers plants based on nitrogen—six would be based on gas, one would be based on the extra naphtha which is likely to be available from the Mathura Refinery and the third would most probably be from the revival of the Korba Plant which is lying idle with an investment of Rs. 24 crores—coalbased. Besides these eight plants, 11 phosphatic fertiliser plants are going to be established in the phosphatic sector. Therefore we are trying

[Shri P. C. Sethi]

our best to keep a match between the demand and supply position and the production position also. This year the losses position is going to improve. Last year the capacity utilisation was only this much namely, that we could produce 20 lakh tonnes of nitrogenous fertilisers. We are likely to produce 31 lakh tonnes this year.

As far as the corruption mentioned by the hon. Member is concerned, if any facts are brought to the notice of the Government, we will certainly look into them.

SHRI JAGDISH TYTLER: Is it also not a fact that F.C.I. at Sindri suffered losses due to the oil blockade in Assam? It is not a fact that this is responsible in a large measure for the losses in these sectors of the F.C.I.? If so, what does government propose to do to save the Fertiliser Corporation of India from these losses?

SHRI P. C. SETHI: Sir, I have already said that Sindri's loss was because of the trouble in Assam. The F.C.I. losses have been the most. Actually they were losing 15.24 crores in 1978-79 but, in the year 1980-81, they have lost about 99.69 crores. Therefore plant by plant we are examining to find out the reason for this great loss in the F.C.I. plants. As far as Sindri is concerned, we have modernised the Sindri Plant and we hope that, after modernisation and the change of feedstock there the situation will improve.

SHRI CHANDRAJIT YADAV: Sir, from the facts it seems the fertiliser family does not have a sick child but it is full of sick children. The capacity utilisation is as low as 7 per cent. This is the shocking state of affairs.

Will the Minister keep this fact in his mind that this country still continues to import on a large-scale the fertilisers from other countries and the burden is great on our economy? The import of fertilisers is very big. Besides this, the demand is also increasing. The problems are endless.

Assam created a special situation. Besides there is lack of power, lack of equipment and lack of modernisation. There are so many other things which show that there is no proper planning. Because of lack of proper planning and coordination, this country is suffering and the farmers are also suffering. Will the Minister give an assurance that the Planning Commission and his Ministry will do some exercise to find out what are the requirements of the country during the next two Plan periods and whether the country is going to be self sufficient in fertilisers? To-day how much of fertilisers are we importing from other countries? Is there any coordinated effort on the part Government to meet the demands of this country?

SHRI P. C. SETHI: Sir, I would like to very humbly submit that it is on account of this continuous exercise that the position of the plants in some of the areas has improved considerably. It is not as if all the plants are sick children. For example, Madras Fertiliser was having a rated capacity of 86.9 per cent which has gone up to 98.6 per cent. As compared to last year the position with regard to every plant has improved and we are going to have 10 lakh tonnes more production of nitrogen. However, there is shortfall. I am not in a position to give the requirements of imports this year. As far as last year's figures are concerned, I will place on the Table of the House as to what was imported.

SHRI CHANDRAJIT YADAV: Sir, I wanted to know what is the requirement of the country for the next two Five Year Plans and also whether Government is taking any steps to make this country self-sufficient in fertilisers?

SHRI P. C. SETHI: The present capacity as far as nitrogenous fertilisers is concerned is 45.6 lakh tonnes out of which we are going to get 30 laks tonnes of production. An exercise has been done in the Planning Commission as well as in the Ministry and also in consultation with the Finance

and plans have been approved so that the requirement at the end of the Sixth Plan period, namely by 1984-85 would be of the order of 65 lakh tonnes and we will also have an established capacity of 65 lakh tonnes. Even then there will be shortfall because every plant is not expected to operate on 100 per cent capacity. So, some imports are likely to be there.

Coal Production

*438. SHRI MANORANJAN BHAKTA: Will the Minister of ENERGY be pleased to state:

(a) what is the total coal production in the country (zone-wise), for the last two years; and

(b) details of anticipated loss including that ascribable to fire burns?

THE MINISTER OF ENERGY (SHRI A. B. A. GHANI KHAN CHAUDHURI): (a) Coal production in the country during 1979-80 and 1980-81 has been 103.95 million tonnes and 114.1 million tonnes respectively. State-wise and company-wise break up is given in statement laid on the Table of the House.

(b) It is not possible to estimate the anticipated loss of coal production in the future.

Statement

(Figures in Million Tonnes)

Company	West Bengal		Bihar		Madhya Pradesh		Maharashtra		Orissa		U.P.		Assam		Andhra Pradesh		TOTAL	
	1979-80	80-81	79-80	80-81	79-80	80-81	79-80	80-81	79-80	80-81	79-80	80-81	79-80	80-81	79-80	80-81	79-80	80-81
ECL . . .	17.78	19.35	2.74	3.35	..	..	..	..	..	..	..	..	..	..	..	..	20.52	22.70
BEDL . . .	0.49	0.49	19.59	20.94	..	..	..	..	..	..	..	..	..	..	..	..	20.08	21.43
CCL. . .	..	..	17.45	19.53	4.00	4.14	..	..	1.50	2.05	1.20	1.75	..	..	..	..	24.15	27.47
WCL . . .	..	..	..	..	20.30	21.79	4.76	5.77	1.07	1.19	..	..	..	..	..	..	26.13	28.75
NEC . . .	..	..	..	..	..	..	..	..	..	..	..	..	0.56	0.61	..	..	0.56	0.67
TOTAL CIL :	18.27	19.84	39.78	43.82	24.30	25.93	4.76	5.77	2.57	3.24	1.20	1.75	0.56	0.61	..	..	91.44	100.96
S.C.C.L. . .	..	..	..	..	..	..	..	..	..	..	..	..	..	..	9.4	10.10	9.40	10.10
Others TISCO TISCO & DVC . . .	0.24	0.18	2.87	2.77	..	..	..	..	..	..	..	..	..	..	..	..	3.11	2.5
TOTAL :	18.51	20.02	42.65	46.59	24.30	25.93	4.76	5.77	2.57	3.24	1.20	1.75	0.56	0.61	9.4	10.10	103.95	114.01

SHRI MANORANJAN BHAKTA: Sir, from the statement supplied by the hon. Minister it appears that there is increase in coal production in the country and this Government can definitely deserve the appreciation for that. But, Sir, I would like to know of what grade the coal production has increased. There are various grades of coal, namely, cooking coal, non-coking coal, slack coal, etc. In which variety of coal the production has increased because every now and then in spite of increase in coal production we find that there is acute shortage of coal in the country so that even our steel factories have to import coal.

SHRI A. B. A. GHANI KHAN CHAUDHURI: So far as coking coal is concerned, there is a shortfall in the Country. Basically, the position is this. The requirement of coking coal during 1981-82 is estimated at 17 million tonnes. The availability will be approximately 6 million tonnes. Now, during the current year about 1 million tonnes of coking coal is being imported. Action is being taken for setting up of new washeries and for opening up of new mines for coking coal. Except for this kind of coking coal, there is no shortage of any other variety of coal, although there are complaints here and there, about the quality of coal and so on, and we are looking into these. But the shortage is mainly with regard to the coking coal.

SHRI MANORANJAN BHAKTA: I wanted to know in respect of what type of grade of coal the production has increased. That is what I wanted to know.

SHRI A. B. A. GHANI KHAN CHAUDHURI: All types of coal.

MR. DEPUTY-SPEAKER: Second supplementary.

SHRI MANORANJAN BHAKTA: What did he say?

MR. DEPUTY-SPEAKER: All types of coal. Why should he be partial to any type of coal? He says, all types of coal.

SHRI MANORANJAN BHAKTA: Sir, my second question is this: There is a huge quantity of coal which is being lost year after year. In the reply the hon. Minister has stated this. I asked him about details of anticipated loss including that ascribable to fire burns and in his reply he has stated that 'it is not possible to estimate the anticipated loss of coal production in the future.' But what about the past which is already over. For that period I think he can definitely give the figure of the loss. But even that he has not given. My second point is this. A huge quantity of coal is being engulfed by the underground fire. I want to know what is the area, and what is the quantity involved. I ask for this information because there is a rough estimation of coal availability in particular collieries. They already know what is the quantity of coal which will be available. That being so, I want to know what is the quantity which is lost in this way. What is the quantity of coal which is lost due to fire? What are the specific measures which he has taken to control such fire?

SHRI A. B. A. GHANI KHAN CHAUDHURI: There are at present about 70 active fires in Jharia coalfields, some big, others small. These fires are the result of wasteful and unscientific mining practices prior to nationalisation. Projects involving large capital expense have been taken in hand to contain these fires. These fires have resulted in huge loss of valuable coking coal. Till date an estimated 30 million tonnes of coal have been engulfed in these fires in the Jharia area. However, I may point out that this phenomenon of fire in coalmines is not something which is peculiar to India alone. Other countries also face similar problems. Of course, foreign countries are better equipped

to deal with these fires. In our country also we have got the machinery to combat them. We are also trying to get foreign consultancy to tackle this problem. Various other basic methods have also been tried by Coal India to deal with fire like blanketing of the fires by sand and matti and compacting them by dozers. There are various measures. If you want, I will read out all these measures, but it will take more time.

SHRI R. P. DAS: I would like to know from the hon. Minister whether he is aware of the fact that the efficiency of the power generating machines of power stations, steel plants and rail engines etc. have been seriously affected due to short supply or non-availability of superior grade coal and in view of the fact that there is a huge import of coal as also production of low grade quality coal, I would like to know what steps have so far been taken to ensure higher production of superior grade coal as required in the country.

SHRI A. B. A. GHANI KHAN CHAUDHURI: I have said that we are quite self-sufficient in respect of coal except coking coal. This year we are importing about one million tonnes of coking coal. With regard to the power houses, there is no dearth of coal except that there are complaints about the quality of coal. This matter has been looked into between the Power Houses and Coal India Limited and accordingly we are taking steps to improve the quality of coal. Apart from that, there is a plan for the installation of coal handling plant, coal crushing plant, etc. With the installation of these plants and machinery, I have no doubt that these complaints will go. With regard to the Railways, there is no dearth of coal. It is the transportation bottleneck which is creating scarcity of coal.

श्री विलीप सिंह भूरिया : कुछ दिन पहले इसी सदन में रेल मंत्री जी ने उत्तर

दिया था कि रेलों में जलने वाले कोयले की भारी कमी है और इस कारण से हमने कई रेलें स्थगित कर दी हैं। आप सभी प्रकार के कोयले की भारी वृद्धि की बात करते हैं। मैं पूछना चाहता हूँ कि स्टीम में जलने वाला जो कोयला है उसकी क्या पॉजिशन है। और क्या कारण है कि रेल मंत्रालय ने कुछ रेलें बन्द कर दी हैं जब कि आप कहते हैं कि कोयले के उत्पादन में भारी वृद्धि हुई है ?

SHRI A. B. A. GHANI KHAN CHAUDHURI: There is co-ordination and in reality the Railways have improved the position regarding the transportation of coal to a great extent. But the railways have not been able to give us the required number of wagons. At the moment, they are giving about 9,000 wagons. But we require more than 10,000 wagons daily and if we totally eliminate the road transportation of coal, in that event we would require 12,000 wagons daily.

SHRI GHULAM NABI AZAD: May I know from the hon. Minister whether it is a fact that the investment on new mines are being held up due to want of clearances and whether it is a fact that due to lack of investment on new mines, coal production has been seriously affected? What steps the Government of India proposes to take in order to encourage investment on new mines?

SHRI A. B. A. GHANI KHAN CHAUDHURI: So far as the sanctioning of the new mines are concerned, the resources are allocated by the Planning Commission. And as per the direction of the Planning Commission and coal organization, we are going ahead with the expansion of new mines. The bottleneck is the acquisition of land. Land acquisition has been a problem to some of the States like West Bengal and Bihar. There is no problem as far as Madhya Pradesh, U.P. and all other States are concerned.

Glut of chemical products due to imports.

*439. **SHRI BHIKU RAM JAIN:** Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether it is a fact that the glut of chemical products due to large imports under Open General Licence is causing concern for the chemical manufacturing industry in the country;

(b) whether it is also a fact that some developed countries are dumping their basic and secondary chemicals in India, putting constraints on indigenous products; and

(c) the steps taken to help the chemical industry in the country to recover?

THE MINISTER OF PETROLEUM, CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI): (a) There have been representations from manufacturers of Soda Ash that large scale imports are leading to accumulation of stocks with them.

(b) No such instance has been brought to notice.

(c) The Import Policy is constantly under review. Imports are regulated taking into account demand and indigenous availability.

SHRI BHIKU RAM JAIN: The Minister has said in his reply (a) that representations from manufacturers of soda ash have been received by Government, and that large scale accumulation of stocks has taken place. At the same time he says, in (b): "No such instance has been brought to our notice", about the indiscriminate import of these items. Has he considered the necessity of stopping the import of soda ash and other chemicals in view of what he has said in reply (a)?

SHRI P. C. SETHI: The question is comprehensive. It relates to all chemical imports.

SHRI BHIKU RAM JAIN: Since the Minister has specially mentioned about soda ash, what steps has he taken to stop the imports of soda ash, as far as reply (a) is concerned?

SHRI P. C. SETHI: Actually, the price of soda ashes in 1978 and 1979—even before 1980—was ruling at Rs. 3,600/- per tonne; and there was a shortage. Production was not picking up. Therefore, Government took a decision to allow Open General Licence import, whereunder, in various years, about 65,000 tonnes to 70,000 tonnes of soda ash were imported. Now gradually after the production has picked up, and on account of these imports the price of soda ash fell from Rs. 3600 to Rs. 3,000; and now it has come down to Rs. 2200, which is a reasonable price in terms of their production cost. And, therefore, the question now is that there is a tie. The manufacturers are saying that there is a glut, while the organizations which represent the consumers are saying that OGL import policy should continue. This is the position with regard to soda ash. Actually, we are examining the production position. Production this year is likely to be 6,78,000 tonnes; and the consumption, according to DGTD demand estimate is 6,80,000 tonnes. So, there is a gap actually between the demand and the actual production that is going to take place.

SHRI BHIKU RAM JAIN: My question has not been answered. I had suggested that soda ash was in sufficient supply. The Minister says there is a shortfall of a few thousand tonnes. He said that the price had gone down from Rs. 3600 per tonne to Rs. 2200 per tonne. Evidently, there is no shortage because prices come down only when there are greater stocks. In view of that, does the Minister wish to give any protection to the soda ash manufacturers in the country? If so, what steps has Government taken—when the stock is piling up, as mentioned by the Minister in reply (a)? This is my supplementary.

SHRI P. C. SETHI: The stock from the previous year is 54,000 tonnes only. As far as demand is concerned, I have said that the likely demand for soda ash, according to DGTD estimate itself, apart from the small scale consumers, is going to be 6,80,000 tonnes; and the production is likely to be around 6,78,000 tonnes. Therefore, there is still a gap between the actual demand and the production and, therefore, we are monitoring the situation; if the situation compels us that the Open General Licence Policy should be stayed then we shall certainly do so. Recently, the duty on the import of soda ash has been increased in order to balance the situation.

SHRI BHIKU RAM JAIN: The hon. Minister in his reply has stated that the import policy on account of demand and supply is being revised every now and then. In view of what he has stated above the chemical industry, when will he be able to revise the import policy, as far as the chemical industry is concerned?

SHRI P. C. SETHI: Actually, the second part of the hon. member's question is that there is some dumping with regard to dye-stuff and other chemicals particularly from China and therefore the market situation is different. These imports are allowed under REP which are affecting the sale of anebein and many other dye-stuff products in our country. Therefore, we have taken up this question with the Ministry of Commerce and we have requested them to reconsider the question of REP import of chemical.

श्री मोती भाई आर. चौधरी : क्या यह सच नहीं है कि देश में जितने सोडा एश की आवश्यकता है, उतना उत्पादन नहीं होता है, इसी वजह से जो सोडा एश बनाने वाले हैं उन्होंने एक्सपेंशन का प्रोग्राम तो हाथ में लिया है, लेकिन अभी तक एक्सपेंशन पूरी तरह नहीं हुआ है, इससे काफी मात्रा में इसकी कमी रहती है ?

विदेशों से जो सोडा एश आता है उसकी कीमत एक्सहाइज ड्यूटी व और सब मिला कर यहां तैयार होने वाले सोडा एश से कम होती है। जब तक सोडा एश की कमी पूरी न हो जाये, एक्सपेंशन का प्रोग्राम पूरा न हो जाये तब तक क्या यह आयात करने का काम जारी रखा जायेगा ?

SHRI P. C. SETHI: There is a conflicting opinion from the two hon. members of this House asking for the stoppage of import and asking for the continuation of import.

श्री मोती भाई आर. चौधरी : यह राय का सवाल नहीं है, मैं एक्सपेंशन के प्रोग्राम के बारे में जानना चाहता हूँ ।

MR. DEPUTY SPEAKER: He has replied to it.

SHRI P. C. SETHI: As far as expansion is concerned, the hon. member knows the position as he is a member of the Consultative Committee. The expansion programme in respect of these 2 companies out of the 4 companies is going on satisfactorily. Of course, there has been some delay in the expansion programme of Tata because of the railway loop line which is being changed metregauge to broad-gauge. As far as the total investment for expansion is concerned, they have almost spent about 95 per cent of the money required.

SHRI R. L. BHATIA: There are only a few units which are manufacturing this soda ash and they are not utilizing their capacity to the full. Secondly, the expansion which has been allowed to them they are not utilizing that also. The result was that the prices went up; and the government in order to see that the soda ash was made available to the poor consumers like dhobis and others, imported soda ash. Now, I would like to know from the hon. Minister, till these manufacturers produce to their full capacity and also carry out the expansion which has been sanctioned to them, whether the government will assure the consumers that they

will supply soda ash to the poor people whether by import or by forcing these manufacturers to produce to the full capacity.

SHRI P. C. SETHI: As far as capacity utilization of the manufacturers in soda ash industry is concerned, it is almost 86 to 95 per cent. Therefore, as far as the present capacity is concerned, it cannot be said that they are producing less. With regard to expansion, we are closely watching the situation and practically every licensee has been granted an expansion which he is carrying out. We can assure the hon. member that as far as the consumers are concerned, 86.4 per cent of the total availability of soda ash is being directly given to the consumers. The rest is being given through the cooperatives to the consumers like dhobis and others, whom the hon. member has mentioned. We are closely watching the situation. We shall not stop import unless the situation warrants that it should be stopped.

MR. DEPUTY SPEAKER: The Question Hour is over.

WRITTEN ANSWERS TO QUESTIONS

Setting up gas-based fertilizer project by I.F.F.C.

*441. SHRI HARINATHA MISRA: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether it is a fact that the Indian Farmers Fertilizer Cooperative Ltd. (IFFC) propose to set up another fertilizer project based on Bombay High Gas in the Sixth Plan;

(b) if so, the details thereof;

(c) what is the estimated total production of urea during 1981-82 both in private and public sectors; and

(d) what steps have been or are proposed to be taken to meet the growing demand of fertilizers indigenously?

THE MINISTER OF PETROLEUM, CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI): (a) and (b). No decision has been taken with regard to the ownership of the sixth additional gas-based projects proposed to be set up in the Sixth Plan period. M/s. Indian Farmers Fertilizer Cooperative Ltd. have shown interest in setting up a gas-based project.

(c) The estimated total production of urea during 1981-82 sector-wise is as follows:

		(/000 MT)
Sl. No.	Sector	Estimated production
1	Public	2946
2	Private	2040
3	Cooperative	685
TOTAL		5671

(d) In addition to the projects under implementation at present, it is proposed to start work on 8 new nitrogenous and 11 new phosphatic fertilizer plants during the Sixth Five Year Plan period. Besides, efforts are being made to maximise the capacity utilisation of the existing plants.

Drug price equalisation account

*442. SHRI DALBIR SINGH: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) what is the amount of the Drug Price Equalisation Account, which is lying with the canalising agency-Chemical and Pharmaceutical Corporation on behalf of Government till the end of July, 1981; and

(b) what is the total interest collected by Government from Chemical

and Pharmaceutical Corporation on this account for having let Chemical and Pharmaceutical Corporation utilise these funds in order to help save interest on its other activities?

THE MINISTER OF PETROLEUM, CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI): (a) and (b). The latest figures available on the basis of the finalised accounts of the State Chemicals and Pharmaceutical Corporation (CPC) are for the year 1980-81. According to these, an amount of Rs. 2,54,99,241.65 was available with the CPC on account of the Drugs Prices Equalisation Account at the end of the year. The CPC had reported a deficit of Rs. 75,78,615.40 in this Account at the end of 1979-80. The 1980-81 accounts of the CPC were adopted in a meeting of the Board of Directors on 21-8-81. These are now being scrutinised by the Comptroller and Auditor General. The CPC is now expected to make the payments into the Drugs Prices Equalisation Account on the basis of these figures. The Government does not either collect any interest from the CPC or pay any interest to it in connection with these accounts.

बिना लाइसेंस के रॉडियो सेटों का पता लगाया जाना

***443. श्री नरसिंह मकवाना :** क्या संचार मंत्री यह बताने की कृपा करेंगे कि :

(क) गत एक वर्ष के दौरान बिना लाइसेंस के कितने रॉडियो सेटों का पता लगाया गया है और जिन लोगों के पास ये सेट पाए गए उनसे कितनी धनराशि वसूल की गई है;

(ख) बिना लाइसेंस के रॉडियो-सेटों का पता लगाने के लिए क्या उपाय किए गए हैं; और

(ग) क्या ये उपाय पूर्णतः प्रभावशाली सिद्ध हुए हैं और यदि नहीं, तो कोई अन्य उपाय न किए जाने के क्या कारण हैं ?

संचार मंत्री (श्री सी. एम. स्टोफन) :

(क) 1-7-1980 से 30-6-1981 तक की अवधि के दौरान पता लगाए गए बिना लाइसेंस के रॉडियो सेटों की संख्या 2,86,763 थी तथा बिना लाइसेंस के रॉडियो धारकों से 82,80,758.50 रुपये वसूल किए गए ।

(ख) डाक तार विभाग का अपवंचन-रोधी तंत्र समूचे देश में फैला हुआ है । नियमित निरीक्षकों के अतिरिक्त बिना लाइसेंस के रॉडियो सेटों का पता लगाने के लिए समय समय पर अवैध रॉडियो पर रोक लगाने का विशेष आयोजन संचालित किया गया ।

(ग) ये उपाय काफी प्रभावी सिद्ध हुए हैं ।

बम्बई हाई से तेल उत्पादन का लक्ष्य और वास्तविक उत्पादन

***444. श्री छीतू भाई गामित :** क्या पेट्रोलियम, रसायन और उर्वरक मंत्री निम्नलिखित जानकारी दर्शाने वाला विवरण सभा पटल पर रखने की कृपा करेंगे कि:

(क) वर्ष 1977 से 1980 तक (वर्षवार) बम्बई हाई से तेल उत्पादन का क्या लक्ष्य निर्धारित किया गया था और उक्त अवधि के दौरान वास्तविक उत्पादन कितना था और तत्संबंधी ब्यौरा क्या है;

(ख) किन कारणों से तेल के उत्पादन का लक्ष्य पूरा नहीं किया जा सका; और

(ग) देश में खनिज तेल की आवश्यकता को देखते हुए बम्बई हाई से इसका और अधिक उत्पादन करने के लिए क्या ठोस कदम उठाये जा रहे हैं और तत्संबंधी ब्यौरा क्या है ?

पेट्रोलियम, रसायन और उर्वरक मंत्री (श्री प्रकाश चन्द्र सेठ) : (क) वर्ष 1977 से 1980 तक (वर्षवार) बम्बई हाई से तेल उत्पादन के लिए निर्धारित किये गये लक्ष्य और उक्त अवधि के दौरान किया गया

वास्तविक उत्पादन निम्नलिखित रूप में है :-

(मिलियन मी० टनों में)

वर्ष	लक्ष्य	वास्तविक
1977-78	2.00	2.074
1978-79	3.40	3.31
1979-80	4.40	4.421
1980-81	5.20	5.00

(ख) वर्ष 1978-79 तथा 1980-81 के दौरान उत्पादन में हुई थोड़ी कमी मुख्य रूप से इस उद्देश्य के लिए संबंधित मंचों (प्लेटफार्मों) को विलम्ब से आरम्भ किये जाने के कारण हुई।

(ग) बम्बई हाई तथा उपग्रह क्षेत्रों से उत्पादन बढ़ाने के लिए ओ. एन. जी. सी. द्वारा तैयार की गई योजना की सरकार द्वारा जांच की जा रही है।

Nagarjuna Fertilizers and Chemicals Ltd.

*445. SHRI KUSUMA KRISHNA MURTHY: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) what is the present stage of the much delayed Nagarjuna Fertilizers and Chemicals Ltd.;

(b) how much amount has been spent so far in the pursuit of materialising this scheme; and

(c) how many times the employees of Nagarjuna Fertilizers and Chemicals Limited were asked to proceed to Washington for discussions and clarifications?

THE MINISTER OF PETROLEUM, CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI): (a) Discussions are being held between the Government of Andhra Pradesh, the promo-

ter of the Company and Messrs Zuari Agro-Chemicals Ltd. on the issues relating to the latter's participation in the project.

(b) About Rs. 7.15 crores have been spent upto 31-8-1981.

(c) The Company has reported that the senior officials of the Company visited Washington on three occasions for discussions with International Finance Corporation, Washington.

Modernisation and utilisation of Telecom Factories

*446. SHRI SUSHIL BHATTACHARYA: Will the Minister of COMMUNICATIONS be pleased to state:

(a) whether he is aware that in the context of present day requirement of the P&T Department as a result of technological advancement, the items which are produced in the telecom. factories have become out-dated and obsolete by and large; and

(b) if so, steps taken for modernisation and utilisation of the optimum production capacity of the telecom. factories?

THE MINISTER OF COMMUNICATIONS (SHRI C. M. STEPHEN): (a) The telecom. factories of the department manufacture items such as line-material microwave towers, manual switch boards of variety as

per requirements of the P&T Department. These items have not become obsolete and are being used for the maintenance and development of the tele-communication network of the country. Very few items have become outdated and their production gets dropped, whenever considered necessary.

(b) A provision of Rs. 30 crores has been made in the Sixth Five-Year Plan for Telecom. Factories for modernisation of production methods and for expansion of manufacturing capacity for various items where the requirement of the P&T Department is in excess of the existing production capacity. Old machines are progressively being replaced. The updating and improvement of the designs of various items is a continuous process and the P&T Telecommunication Factories collaborate with the Telecommunications Research Centre of the P&T Department or any other body for carrying out improvements in the designs. Lately, new R&D Units have been sanctioned for Telecom. Factories at Bombay and Calcutta.

Regional office of Central Board of Film Censors in Kerala

*447. SHRI A. A. RAHIM:

SHRI V. S. VIJAYA-
RAGHAVAN:

Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) is there any proposal to establish a Regional Office of the Central Board of Film Censors in Kerala at Trivandrum in view of the increase in production of Malayalam films; and

(b) if so, when the regional office is likely to start functioning?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI VASANT SATHE): (a) and (b). A proposal to set up a regional office of the Central Board of Film

Censors at Trivandrum *inter alia* has been included in the Sixth Five Year Plan (1980—85). The proposal will be implemented in due course depending on availability of resources.

L.P.G. Burnt by Refineries.

*448. SHRI CHIRANJI LAL SHARMA: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether it is a fact that between 2,00,000 to 3,00,000 tons of LPG worth Rs. 60 crores is burnt every year by refineries in the country because of lack of adequate storage capacity and power maintenance at L.P.G. pumps; and

(b) if so, steps taken or proposed to be taken for its preservation and storage with a view to stop its wastage and for its use as cooking gas?

THE MINISTER OF PETROLEUM, CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI): (a) No, Sir.

(b) Does not arise.

Criteria for distribution of advertisements through D.A.V.P.

*449. SHRI QAZI SALEEM:

SHRI RAMJIBHAI MAVANI:

Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) what are the criteria for the distribution of advertisements through D.A.V.P.;

(b) how much amount of advertisements through DAVP has been distributed to various large, medium and small papers in Gujarat and Maharashtra during the periods 1-4-1977 to 31-12-1979 and 1-2-1980 to 31-7-1981;

(c) how much is likely to be given during 1981 and 1982; and

(d) whether quantum of advertisements to small newspapers especially

with less circulation between 1000 to 10000 is proposed to be increased?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI VASANT SATHE): (a) The basic criteria for distribution of advertisements through Directorate of Advertising and Visual Publicity are contained in the Advertising Policy of the Government

which has already been laid on the Table of the House.

(b) Directorate of Advertising and Visual Publicity does not maintain a State-wise list regarding the quantum of advertisements given to newspapers there. However the amount of advertisements released to dailies in Gujarati and Marathi, the main languages of these States, are as under:—

OF ADVERTISEMENTS RESEARCH

Financial Year	Big	Medium	Small	Total
1977-78				
Gujarati	437710	338790	214471	990971
Marathi	439388	300445	263310	1003143
1978-79				
Gujarati	922621	406643	225658	1554922
Marathi	988193	335020	300910	1622123
1979-80				
Gujarati	877693	372735	163141	1413569
Marathi	1051386	317988	259137	1628511
1980-81				
Gujarati	1016437	431915	350470	1798732
Marathi	1088069	614719	476036	2178824

Data for the current financial year are under compilation.

(c) It is not possible to forecast the quantum and the pattern of future distribution of advertisements. This is particularly because the selection of newspapers is governed, *inter-alia*, by publicity requirements, the target audience, the availability of funds etc. from time to time.

(d) No, Sir. However, small newspapers (circulation upto 15000 copies) are given suitable weightage as per the existing guidelines depending on the publicity requirements etc.

Bringing Bhuj (Kutch) and Rajkot (Saurashtra) in Indian T.V. Range

*450. SHRI HIRALAL R. PARMAR:

SHI R. P. GAEKWAD:

Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) whether it is a fact that the people of Bhuj (Kutch) and Rajkot (Saurashtra) watch television programmes from Pakistan and Abu-Dhabi stations; and

(b) when the people of these regions would be able to see the Indian telecasts?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI VASANT SATHE): (a) There have been some reports that signals of some foreign T.V. Stations are received in certain areas of the West Coast.

(b) Setting up of a Programme Production Centre at Rajkot with a rebroadcast transmitter is included in the Sixth Plan under 'INSAT Scheme'. Setting up of a TV Relay Centre at Bhuj at some date will depend on the availability of resources and plans of P&T Department for microwave circuits with TV facilities in this area.

Setting up of T.V. Station at Rajgir (Bihar)

***451. SHRI VIJAY KUMAR YADAV:** Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) whether it is a fact that Government are going to open a new T.V. station at Rajgir in the State of Bihar; and

(b) if so, the details thereof?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI VASANT SATHE): (a) and (b). No, Sir. There is no proposal at present to set up a T.V. Centre at Rajgir (Bihar).

Licences for fixed and mobile radios

***453. DR. SUBRAMANIAM SWAMY:** Will the Minister of COMMUNICATIONS be pleased to state:

(a) whether the Central Government have decided to liberalise the issue of licences for fixed and mobile radios for two way communications;

(b) if so, whether these licences will be available to the Public Sector

Companies and also to individuals; and

(c) if so, the details thereof?

THE MINISTER OF COMMUNICATIONS (SHRI C. M. STEPHEN): (a) to (c). Licences for fixed and mobile two-way radio communication stations are issued by the Wireless Planning and Coordination (WPC) Wing of the Ministry of Communications to Institutions and Organisations including Public Sector Companies and individuals. Applications for such licences are examined in consultation with the Ministries/Departments concerned like External Affairs, Defence, Home Affairs, etc. and licences including frequency allocations issued depending upon the nature of the wireless usage involved, the need for the facility, possibility of interference with existing systems and in conformity with the Rules laid down under the Indian Telegraph Act, 1885.

During the past one year, the procedures for dealing with such applications have been streamlined, which has facilitated the grant of licences in increasing numbers. During the period 1.9.80 to 31.8.81, licences for 1995 wireless stations in favour of Government Departments/Public Sector Undertakings and for 447 stations to private companies and individuals were issued as against 1161 and 49 respectively, during the corresponding period in 1979-80.

Slow work at Microwave Projects of Bhavnagar and Amreli (Gujarat)

***454. SHRI NAVIN RAVANI:** Will the Minister of COMMUNICATIONS be pleased to state:

(a) whether it is a fact that Microwave Projects of Bhavnagar and Amreli have been started long back, but could not be completed due to go-slow work;

(b) if so, the probable years of their completion and functioning;

(c) the progress made so far;

(d) the reasons for long delay in the completion of the projects in the scheduled time;

(e) the expenses incurred so far in each one;

(f) the progress made for telephone lines to be served by above microwave projects; and

(g) the dates by which foreign equipments are likely to be received?

THE MINISTER OF COMMUNICATIONS (SHRI C. M. STEPHEN):

(a) Microwave projects to connect Bhavnagar, Amreli and a few other towns with Ahmedabad was started in 1975. The project could not be completed due to non-availability of microwave radio equipment.

(b) The probable year of commissioning is 1983.

(c) Except for the radio equipment, other works are in advanced stage.

(d) The project has been delayed due to unexpected delay in development and productionisation of microwave radio equipment indigenously. It is now proposed to procure the equipment by import.

(e) Expenditure so far incurred on the microwave project Ahmedabad-Bhavnagar-Amreli-Rajkot / Bhavnagar-Broach-Surat is about Rs. 506 lakhs.

(f) Expansion of the existing telephone exchanges at Bhavnagar and Amreli has been planned.

(g) Radio equipment is likely to be received by import towards the end of 1982.

Award to consultancy contract in Singareni to a foreign consultant

*455. SHRI DHARAM DASS SHASTRI: Will the Minister of ENERGY be pleased to state:

(a) whether Government have decided to award consultancy contract for open cast coal mines in Singareni to a foreign consultant;

(b) if so, the terms and conditions of the contract;

(c) is it true that the Central Mining, Planning and Design Bureau has the necessary expertise in the matter; and

(d) if so, the reasons for engaging a foreign expert?

THE MINISTER OF ENERGY (SHRI A. B. A. GHANI KHAN CHAUDHURI): (a) No Sir.

(b) to (d). Does not arise.

पेट्रोल और डीजल पर व्यय

4201. श्री मनी राम बागड़ी : क्या पेट्रोलियम, रसायन और उर्वरक मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या पेट्रोल और डीजल पर होने वाला खर्च जनवरी, 1981 से 31 जुलाई, 1981 तक निरन्तर बढ़ता रहा है ;

(ख) यदि हां, तो अधिकतम खर्च किस महीने में हुआ; और

(ग) क्या सरकार का विचार पेट्रोल और डीजल पर व्यय की अधिकतम सीमा निर्धारित करने का है?

पेट्रोलियम, रसायन और उर्वरक मंत्री (श्री प्रकाश चन्द्र सेठी) : (क) और (ख) यह माना गया है कि यह प्रश्न सरकार द्वारा पेट्रोल एवं डीजल पर किये गये व्यय से संबंधित है । विभिन्न सरकारी विभागों में डीजल से चलायी जाने वाली गाड़ियों की संख्या बहुत कम है । ईंधन की खरीद के लिए प्रति वर्ष की गई बजटबद्ध व्यवस्थाओं द्वारा इन विभागों में पेट्रोल की खपत नियंत्रित की जाती है । इच्छित दिशा में माह-वार सूचना एकत्र करने में पर्याप्त समय एवं श्रम लगेगा जिससे प्राप्त किया जाने वाला प्रस्तावित उद्देश्य आनुपातिक नहीं हो सकेगा ।

(ग) पेट्रोल तथा डीजल पर व्यय की एक अधिकतम सीमा निर्धारित नहीं की

वह है क्योंकि सरकार द्वारा निर्धारित की गई पेट्रोलियम उत्पादों की लागत पर वह निर्भर करेगा। परन्तु स्टाफ करों का वह द्वारा प्रयोग किये जाने वाले पेट्रोल की मात्रा कम करने के लिए पहले से ही बजट में धारा कर दिये गये हैं।

Video recording of historic events

4202. SHRI R. K. MHALGI:

SHRI SURAJ BHAN:

Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) whether it is a fact that Government have received a representation dated 18th June, 1981 from Shri Arun Deshmukh and sixty-seven others regarding video recording of historic events;

(b) if so, the details of the suggestions made therein; and

(c) what action Government propose to take in regard to the same?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI VASANT SATHE): (a) Yes, Sir.

(b) The suggestion is to record on video the complete episodes of Shiv Katha Mala, a Ballad-cum-Lecture services on Shivaji's life which is presented as a one man show by Baba Saheb Purandara for telecast and archives.

(c) The suggestion has been noted while considering the utilisation of the episode, the limitations of the TV medium will have to be kept in view. Bombay Kendra has, however, already telecast a programme on the subject entitled SHIV 'KALYAN RAJA' which was conceived and presented by Baba Saheb Purandara.

Persons in Ministry working on same seats for the last 10—15 years

4203. SHRI K. M. MADHUKAR:

Will the Minister of ENERGY be pleased to state:

(a) whether it is a fact that some of the officers of the Ministry and its attached and subordinate offices have been working on their seats for the last more than five years and in some cases more than even 10—15 years;

(b) is it also a fact that some officers have forgone their promotions even to stick to their seats with the connivance of some senior responsible officers;

(c) if so, the reasons why due attention was not paid to such irregularities well in time; and

(d) the action taken to set the things right?

THE MINISTER OF STATE IN THE MINISTRY OF ENERGY (SHRI VIKRAM MAHAJAN): (a) to (d). The information is being collected and will be laid down on the Table of the House.

News Item captioned "Khadan Durghatana Me Ek Majdoor Ki Mrityu"

4204. SHRI A. K. ROY: Will the Minister of ENERGY be pleased to state:

(a) whether the attention of the Ministry has been drawn to the news published under the caption "Khadan Durghatana Me Ek Majdoor Ki Mrityu" in the Hirawal—a Dhanbad based weekly dated 7-4-1981; and

(b) if so, the causes of this accident and the action taken against the failures and to stop recurrence?

THE MINISTER OF STATE IN THE MINISTRY OF ENERGY (SHRI VIKRAM MAHAJAN): (a) Yes Sir.

(b) The accident occurred due to roof fall. The Manager, Asstt. Manager and Mining Sirdar have been held responsible for this accident. D.G.M.S. has initiated action against the Manager and the Assistant Manager. The Mining Sirdar was suspended for ten days by the Management.

In order to avoid such accidents in future, the use of Safari support in

case of freshly exposed roof has been rigidly enforced and supervision has also been tightened by the company.

Permission sought for drawing water from Gobind Sagar Lake, pong dam Lake and Anand Pur Sahib Canal

4205. PROF. NARAIN CHAND PARASHAR: Will the Minister of ENERGY be pleased to state:

(a) whether the Himachal Pradesh Government have approached the Union Government for drawing water from Gobind Sagar Lake (ii) Pong Dam Lake, and (iii) Anandpur Sahib Canal so as to promote irrigation;

(b) if so, whether Government of India have given the necessary permission; and

(c) if not, the reasons therefor and the likely date by which the permission would be given?

THE MINISTER OF STATE IN THE MINISTRY OF ENERGY (SHRI VIKRAM MAHAJAN): (a) to (c). On a request from the Government of Himachal Pradesh the Bhakra Beas Management Board has already allowed them to lift irrigation water from the Gobind Sagar lake. No request has been received for lifting of water either from Pong Dam lake or from Anandpur Sahib Canal.

दिल्ली में चालू वर्ष के दौरान रसोई गैस के कनेक्शन देने

4206. आचार्य भगवान देव : क्या पेट्रोलियम, रसायन और उर्वरक मंत्री यह बताने की कृपा करेंगे कि दिल्ली में चालू वर्ष के दौरान रसोई-गैस के कितने कनेक्शन दिये जायेंगे और रसोई-गैस के कनेक्शन के लिए पंजीकृत कितने आवेदकों को छोड़ दिया जायेगा।

पेट्रोलियम, रसायन और उर्वरक मंत्री (श्री प्रकाश चन्द्र सेठी) : तेल उद्योग द्वारा तैयार की गई गैस नाम दर्ज करने की योजना के अनुसार ऐसी आशा की जाती है कि प्रतीक्षा सूची में लगभग 4 लाख आवेदनकर्ताओं की

कुल संख्या में से दिल्ली में वर्ष 1981-82 के दौरान लगभग 54,000 बना पकाने को गैस (एल. पी. जी.) कनेक्शन जारी किये जायेंगे।

Lease taken by Bharat Petroleum in Chinora, Maharashtra

4207. SHRI DAYARAM SHAKYA: SHRI R. K. MHALGI:

Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether it is a fact that the Bharat Petroleum has taken on lease a site in Chinora, Taluka Warora Distt., Chandpur (Maharashtra) for the petrol pump in 1965 for a period of 20 years;

(b) if so, whether there is any dispute regarding the rent and the matters incidental thereto; and

(c) whether such a dispute has been pending for the last five years; if so, the reason of delay in early settlement?

THE MINISTER OF PETROLEUM, CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI): (a) Yes, Sir. Bharat Petroleum Corporation Ltd. (BPCL) took this site on lease from Smt. Mrunaline N. Deshpande at a rental of Rs. 110 per month w.e.f. 1-4-1965, with a renewal option for a further period of 20 years at a revised rental of Rs. 125 per month.

(b) There is no dispute regarding rent and matters incidental thereto. The rent is paid in advance on quarterly basis and has already been paid upto end September, 1981 by BPCL. Sometimes in 1975, the lessor requested BPCL to increase the rent. The lessor was informed that this land was leased to them on 1-4-1965 for a period of 20 years and they regretted that they cannot agree to make any changes in rent.

(c) Does not arise in view of (b) above.

Visit by Retired Officers to Ministry

4208. SHRI SANAT KUMAR MANDAL: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to refer to the reply given to Unstarred Question No. 9702 on 5th May, 1981 regarding visit by retired officers to Ministry and state:

(a) whether visits by the retired officers of his Ministry to the Sections/Branches dealing with Drugs and Synthetic Fibre Industry continue unabated and they are able to sneak into the Rooms with their past influence and contacts;

(b) whether any stay in one-Section/Branch of a Section Officer/Desk Officer has been prescribed to obviate their not developing vested interests and looking forward for lucrative post-retirement jobs with Industrial Houses;

(c) since how long the present incumbents are working in these Branches/sections and the reasons for not rotating them; and

(d) whether he is aware that some of these officers are now conducting their official business at their residences in collusion with these retired Officers and the action he proposes to take to eliminate such malpractices indulged in by them?

THE MINISTER OF PETROLEUM, CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI): (a) The visitors to the Ministry are prohibited from meeting the officers below the rank of Under Secretary or from visiting rooms where Desk/Section officers sit.

(b) and (c). Generally, rotational transfers are to be effected after a period of three years as far as possible. Only one Desk officer deals with the Synthetic Fibre Industry and he has been at this desk only from 1-4-1980. Two officers in the Drugs Division have been in the same seat for more than three years. This being

a small Ministry, the scope for rotation of these officers is limited for the reason that if one officer has completed three years at one place, others may not have completed this period and shifting an officer would mean shifting other officers also who have not completed three years at one place. However, every effort is made to rotate the officers.

(d) This Ministry has no such information.

भालरापाटन (भालावाड़) में टेलीफोन प्रणाली को दुरुस्त रखना

4209. श्री चतुर्भुज : क्या संचार मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या उन्हें टेलीफोन प्रणाली को दुरुस्त रखने के बारे में (भालरापाटन) भालावाड़ के व्यापार-मंडल से कोई अनुरोध प्राप्त हुआ है; और

(ख) यदि हां, तो इस स्थिति को सुधारने के लिए सरकार क्या कदम उठा रही है और इस संबंध में पूर्ण व्यापार क्या है?

संचार मंत्रालय में राज्य मंत्री (श्री कांतिक उराव) : (क) व्यापार संघ भालरा पाटन से टेलीफोन प्रणाली के संबंध में तारीख 18-8-1981 का एक अभ्यावेदन प्राप्त हुआ है।

(ख) अभ्यावेदन में उठाये गए 7 मुद्दों के संबंध में स्थिति नीचे दी जा रही है :-

(1) तकनीशियन की नियुक्ति कर दी गई है; (2) 100 लाइनों के एम. ए. एक्स.—।।। टाइप स्वचल एक्सचेंज को 100 लाइनों के सी. बी. करचल एक्सचेंज में बदलने के लिए तकनीकी तथा वित्तीय व्यवहार्यता निकाली जा रही है; (3) मौजूदा शुल्क दर के अनुसार भालरापाटन तथा भालावाड़ की बीच एक यूनिट टंक काल के लिए 1 रुपये का प्रभार न्यायोचित है; (4) चार टूटे हुए टेलीफोन उप यंत्रों को बदल दिया है। (5) लाइनों की अस्थायी फिटिंग को स्थायी बना दिया है (6) त्रुटिपूर्ण बिल तैयार करने का कोई स्पष्ट मामला नहीं दिया गया है जिसकी छाप-बीन की जा सके; (7) भालरा पाटन से

कातावाड़ के बीच टुक काल मिलाने के
बाँसत हरेरी बाधे घंटे से कम है।

Development of Coal in Orissa

4210. SHRI CHINTAMANI JENA: Will the Minister of ENERGY be pleased to state:

(a) is it a fact that due attention has not been paid by the Coal India Limited for development of coal in Orissa; and

(b) if so, action taken by the Union Government to bring the two coal fields in Orissa under the administrative control of a separate subsidiary company of Coal India Ltd. with headquarters at Bhubaneswar or Talcher or Brajarajnagar, and the time by which this proposal is likely to be executed?

THE MINISTER OF STATE IN THE MINISTRY OF ENERGY (SHRI VIKRAM MAHAJAN): (a) No, Sir.

(b) Does not arise. At present there is no proposal to form a separate subsidiary of Coal India Limited.

Number of aillages electrified in Karnataka

4211. SHRI JANARDHANA POOJARY: Will the Minister of ENERGY be pleased to state:

(a) what is the number of villages electrified during the last three years, year-wise, by the Rural Electrification Corporation in Karnataka State; and

(b) what is the programme of the rural electrification for the current year and the next year?

THE MINISTER OF STATE IN THE MINISTRY OF ENERGY (SHRI VIKRAM MAHAJAN): (a) The Number of villages electrified during the last three years by the

Rural Electrification Corporation in Karnataka State is as follows:—

Year	No. of villages electrified under REC projects
1978-79	407
1979-80	505
1980-81	243
TOTAL	1155

(b) A target of electrification of 870 villages has been fixed for the year 1981-82. Out of these 680 villages are proposed to be electrified under the projects sanctioned/to be sanctioned by the Rural Electrification Corporation in Karnataka.

The programme of Rural Electrification for the next financial year viz. 1982-83 has not been finalised so far. However, the Rural Electrification Corporation propose to electrify 550 villages under the project sanctioned to be sanctioned by them.

Street Lights in Pitampura

4212. SHRI BHEEKHA BHAI: Will the Minister of ENERGY be pleased to state:

(a) whether he is aware that though a new residential colony, namely Uttari Pitampura (Pitampura Residential Scheme, Delhi) has been developed by the Delhi Development Authority since 1979 there is no street Lighting arrangements in Blocks B, C, D, H, K; L & M of Uttari Pitampura and the residents of these Blocks are being given only temporary electric connections which are required to be renewed every three months; and

(b) if so, when street lighting facilities will be provided on the main roads and inner roads and also when per-

manent electric connections will be provided to the residents of these Blocks?

THE MINISTER OF STATE IN THE MINISTRY OF ENERGY (SHRI VIKRAM MAHAJAN): (a) and (b). The position of the execution of various general electrification schemes including provision of street lighting in various pockets (not blocks) of Uttari Pitampura as sponsored by the D.D.A. is as under:

Pocket—'B': The work of providing LV Mains for giving domestic electricity connections etc. and that of street lighting is expected to be completed by the end of September, 1981.

Pockets—'C', 'D', 'H', 'K', 'L' & 'M': Though the work of laying electricity mains etc. has been taken in hand by DESU, its completion mainly depends upon the building construction activities in these pockets.

Since the work of general electrification and provision of street lighting in these pockets is yet to be carried out in keeping with the building construction activities, permanent electric connections are not feasible for the time being. However, temporary electric connections for construction purposes have been given by DESU in the area.

Permanent electric connections could be given in a particular pocket of Uttari Pitampura Residential Scheme of the D.D.A. on completion of general electrification in that pocket.

पुनर्वास बंदोबस्त आयुक्त के पास विस्थापित व्यक्तियों के विचाराधीन मामलों की संख्या

4213. श्री निहाल सिंह : क्या पीटी और पुनर्वास मंत्री यह बताने की कृपा करेंगे कि पुनर्वास बंदोबस्त आयुक्त के कार्यालय में विस्थापित व्यक्तियों के कितने मामले विचाराधीन हैं?

पीटी और पुनर्वास मंत्रालय में उपमंत्री (जी पी.के. मजूम) 2 भूतपूर्व पश्चिमी पाकिस्तान से आए विस्थापित व्यक्तियों के मामलों के संबंध में कार्यवाही मुख्य बंदोबस्त आयुक्त द्वारा की जाती है और मूलतः वे मामलों विस्थापित व्यक्ति (प्रतिकर तथा पुनर्वास) अधिनियम, 1954 के उपबन्धों से बचीन मुआवजे के अंतर्गत से संबंधित हैं। ऐसे सभी मामलों का पहले ही निपटारा किया जा चुका है लेकिन 31-8-1981 तक मुआवजे के ऐसे मामलों की संख्या 928 थी जिन पर न्यायिक आदेशों/अभावों आदि के परिणामस्वरूप फिर से कार्यवाही की जानी है।

States Seek Permission to Import Power Equipment

4214. SHRI DAULATSINHJI JA-DEJA: Will the Minister of ENERGY be pleased to state:

(a) whether certain State Governments have sought the permission of the Central Government for the import of power equipment for their power generation programmes in the State;

(b) if so, the names of these States;

(c) the amount involved for each such state; and

(d) the action taken by Government in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF ENERGY (SHRI VIKRAM MAHAJAN): (a) Yes, Sir,

(b) Among the States which have approached Centre with certain imports proposals for power generating schemes and which are under consideration in the Ministry of Energy are Assam, Andhra Pradesh, Bihar, Gujarat, Karnataka, Orissa, Tamil Nadu and Uttar Pradesh.

(c) and (d). These proposals are being examined from several angles including availability of indigenous manufacturing capacity, scope of the equipment to be imported etc. Since some of the proposals referred to above

are by way of inquiries only and not concrete proposals and since the scope of the import in the various other proposals received is yet to be finalised details relating to the amount involved etc. will be available only after formal decisions on these proposals are taken.

Construction of Champua Post Office Building of Keonjhar

4215. SHRI HARIHAR SOREN: Will the Minister of COMMUNICATIONS be pleased to state:

(a) the estimated cost of the Champua Post Office building of Keonjhar district in Orissa;

(b) when was the construction work started;

(c) whether it is a fact that completion work of the above Champua Post Office building has not yet been completed;

(d) if so, the reasons for delay; and

(e) the expected time of completion of the above post office building?

THE MINISTER OF STATE IN THE MINISTRY OF COMMUNICATIONS (SHRI KARTIK ORAON): (a) Rs. 2.42.520.

(b) 5-5-1979.

(c) Yes, Sir.

(d) The contractor had stopped work for months together.

(e) 31-12-1981.

Sindhi Language Programmes on . . . AIR/T.V. Stations .

4216. SHRI V. N. GADGIL: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) the total number of hours allotted to Sindhi language programmes on all stations of AIR and TV; and

(b) whether Government propose to increase the number of hours of such programme?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI VASANT SATHE): (a) All India Radio: Sindhi programmes are broadcast from the following AIR Stations for the duration indicated against each:—

Bombay . . . 60 mts. per week.

Jaipur . . . 60 mts. per week.
(since increased to 90 mts. with effect from 7-6-81)

Bhuj . . . 115 mts. per week

Bhopal/Indore . . 30 mts. per week

Ahmedabad . . . 30 mts. per day

In addition to the above, AIR broadcasts three news bulletins in Sindhi from Delhi. Of these, two are broadcast in the Home Service and one in the External Services. Bulletins for the Home Service are broadcast at 0840 and 1815 hrs. for a duration of 10 mts. and relayed by Ahmedabad, Baroda, Jaipur, Bhuj and Bombay stations. The bulletin in the External Service is put out at 5.35 p.m. and its duration is 10 mts. It is beamed to listeners in Pakistan.

Doordarshan

So far as Doordarshan is concerned the Kendras are presently in single channel service. Introduction of sepa-

rate chunks in Sindhi language would not be practicable. However, even now Doordarshan Kendras put out special programmes like 'Cheti Chand' and also telecast Sindhi films and Sindhi film songs in the regional film/Chitrahar chunk.

(b) The inclusion of the Sindhi Language in the National Programmes of Plays and Folk Music besides a possible increase in the duration of Sindhi programmes over AIR Bhuj are among AIR's plans.

Import of L.P.G.

4217. SHRI MOHAL LAL PATEL: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether L.P.G. is being imported;

(b) if so, the quantity imported during the year 1978-79, 1979-80 and 1980-81 and the rate at which imported and the names of the countries from which imported;

(c) what is the quantity of L.P.G. likely to be imported during the current year and the amount earmarked; and

(d) whether in view of massive production of L.P.G. in the country, Government propose not to import any more L.P.G. during the next year?

THE MINISTER OF PETROLEUM, CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI): (a) Yes, Sir.

(b) The quantity of L.P.G. actually imported during the years 1978-79, 1979-80 and 1980-81 is as follows:—

Year	QTY. in M.T.
1978-79	Nil.
1979-80	17040
1980-81	44844

LPG is a mix of Butane and Propane, the prices of which during 1979-80 and 1980-81 are given below:—

(Dollars/M.T.)

1979-80		
February, 80	Butane	410 FOB
to March, 80	Propane	310 FOB
1980-81		
April, 80	Butane	365 FOB
to May, 80	Butane	390 C&F
November, 80	Butane	350 C&F
to January, 81		
February, 81	Butane	380 C&F

It would not be in public interest to disclose the names of the countries from which LPG was imported.

(c) During April, 1981 we have already imported 5882 MT of Butane. We may have to import another 10 to 15,000 MT of LPG during December, 1981—February, 1982. The amount of foreign exchange outgo would depend upon the prices prevailing at that time.

(d) With the increased production of LPG in the country, it should not be necessary to import LPG during 1982-83.

Faulty Communication System Despite India's Achievement in Space Travel

4218. PROF. MADHU DANDAVATE: Will the Minister of COMMUNICATIONS be pleased to state:

(a) whether it is true that our Scientists have achieved a great success in the case of space travel of 'APPLE'; and

(b) if so, how is it that despite such a success by the Indian Scientists the substantial portion of our communication system is either faulty or is disrupted?

THE MINISTER OF STATE IN THE MINISTRY OF COMMUNICATIONS (SHRI KARTIK ORAON): (a) Yes. The placement of the APPLE satellite in the geo-stationary orbit has been a great achievement for the scientists of the Department of Space.

(b) The Communication in our country are provided mainly through terrestrial media covering both microwaves and underground cables. These media can get affected by vagaries of weather and also man-made disturbances. This has no relevance to the placement of the APPLE.

Utilisation of New Talent in Documentaries made for Doordarshan

4219. SHRI K. MALLANNA: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) whether it is a fact that contracts for making documentaries for Doordarshan are being doled out to machine tool dealers among others in total disregard of rules;

(b) whether it is a fact that talent is no longer a consideration for making short films for the television network, in the absence of a system of selecting scripts and directors; and

(c) what are the details regarding the improvement—the quality of programmes and what are the rules regarding the procedure adopted for utilising the services of new talent?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI VASANT SATHE): (a) and (b). No, Sir.

(c) Programmes are periodically reviewed with a view to improve quality of the programme and making appropriate changes. This is a continuance effort. Briefly steps taken to improve the programmes are as under:

(i) New programme formats like 'Aap Ke Liye', 'Lok Manch' have been developed.

(ii) In 'Parikarma' a new series is being evolved in which focus would be on public amenities and their judicious use by people.

(iii) 'Wild Life Series' will be shown from 2nd October.

(iv) Special series on Comparative Religions, Science for Children, Police and people are under way.

(v) Under special scheme like Long Dramatic Plays for TV Production of TV Films by Eminent Producers, Production of TV features on States, Production of Light Entertainment Series, outside talent is being commissioned for enrichment of TV programmes.

(vi) A new scheme to have a yearly light music competition on TV has been drawn up.

(vii) Training courses/Refreshers courses for updating skills of Doordarshan's own staff engaged in the pro-

duction of programmes are arranged from time to time.

As regards procedure adopted for utilising the services of new talent, there are elaborate audition procedures for judging the suitability of new talent. Applications received for participation in TV programmes are scrutinised at each Kendra and those considered suitable to the TV medium are subject to audition/screen test. Similarly, for considering production of TV films, features, series, documentaries, there are detailed instructions under which such requests are scrutinised from various stages first at the Kendras by a Screening Committee and thereafter referred to the Directorate General for consideration and sanction.

Provision of Additional Investment for Production of Crude From Bombay High

4220. SHRI G. Y. KRISHNAN: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether it is a fact that Government have provided some more additional investment during the Sixth Five Year Plan to cover the accelerated programme of exploration and production of crude oil and natural gas from Bombay High and its Satellite structures;

(b) if so, to what extent and what will be the total outlay with this additional investment in oil exploration programme; and

(c) what are the details regarding the Plan of Oil and Natural Gas Commission drawn up recently?

THE MINISTER OF PETROLEUM, CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI): (a) to (c). ONGC has prepared a plan for raising production from Bombay High and Satellite fields which is under examination by the Government.

Setting up of LPG Agencies in Rajasthan

4221. SHRI KRISHNA KUMAR GOYAL: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) the names of the places in Rajasthan where L.P.G. cooking gas agencies have been set up by Indian Oil Corporation in 1980-81; and

(b) the name of the places where new agencies are proposed to be sanctioned in the year 1981-82?

THE MINISTER OF PETROLEUM, CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI): (a) None, Sir. However, oil companies have already initiated action to appoint 15 cooking gas agencies in Rajasthan against their 1980-81 programme.

(b)

Jaipur
Alwar
Pali
Ganganagar
Sirohi
Mount Abu
Jodhpur
Ajmer
Jalore
Bhilwara
Bikaner
Barmer
Beawer
Bharatpur
Banswara
Bundi
Sikar
Churu
Sawai Madhopur
Udaipur
Tonk
Kota
Dungarpur
Chittorgarh
Nagaur

Order for purchase of equipment machinery etc..

4223. SHRI MANORANJAN BHAKTA: Will the Minister of SUPPLY AND REHABILITATION be pleased to state:

(a) how many orders for purchase of equipment machinery etc. from the A&N Islands are pending with the Government of India up-to-date, please give details stating *inter alia* when the requisition was received;

(b) what action Government have taken to expedite the same; and

(c) whether it is a fact that four buses were delivered for A&N Islands but AD Shipping, Calcutta has not shipped the buses, if so, the facts in details?

THE MINISTER OF STATE IN THE MINISTRY OF SUPPLY AND REHABILITATION (SHRI BHAGWAT JHA AZAD): (a) The information is being collected and will be placed on the Table of the House.

(b) Progress of Supplies against orders placed against the indents received from A&N Islands Administration is being monitored through special meetings held periodically in the Directorate General of Supplies and Disposals with which representatives of A&N Admn. are also associated.

(c) Yes, Sir. While taking clearance of the buses from the Railway Authorities at Calcutta, A.D. Shipping, Calcutta found these buses in damaged condition. The firm has been persuaded to make necessary repairs and it is likely to take a month to complete the job.

Films on Folk Culture of Orissa

4224. SHRI K. PRADHANI: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) whether there is any proposal under the consideration of Government to advise the Films Division to

shoot films on folk culture of Orissa; and

(b) if so, what are the details thereof?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI VASANT SATHE): (a) and (b). There is no specific proposal under consideration of the Government to advise the Films Division to shoot films on folk culture of Orissa. The Films Division, as a part of its normal activities, has produced films on folk culture, Dances, Art, Craft, Archaeological Monuments and land and the people of Orissa, in the past. The films on Folk Dances of India, including those in the Eastern Region, are also under production. The Films Division has also a Plan Scheme to set up two 16mm Film Production Units at Calcutta (covering Eastern Region and Bangalore covering Southern Region). The Production Centre for the Eastern Region will produce films *inter-alia* in Oriya which may involve the folk culture of Orissa.

Representation from Bharatiya, Postal Employees Union, Maharashtra Circle, Bombay

4225. SHRI N. K. SHEJWALKAR: Will the Minister of COMMUNICATIONS be pleased to refer to the reply given to Unstarred Question No. 3709 on 16th March, 1981 regarding the representation from Bharatiya Postal Employees Union, Maharashtra Circle, Bombay and state:

(a) whether the demand of revision, of timings has since been agreed to by the Department;

(b) if not, the reasons therefor; and

(c) what action Government are taking to expedite the decision?

THE MINISTER OF STATE IN THE MINISTRY OF COMMUNICATIONS (SHRI KARTIK ORAON): (a) to (c). The matter is still under examination.

Applications from North-Eastern Region for enlisting under DGSND Rate Control

4226. SHRI SONTOSH MOHAN DEV: Will the Minister of SUPPLY AND REHABILITATION be pleased to state:

(a) whether it is a fact that firms, companies and individuals from the North Eastern region are being continuously denied from enlisting their products under DGS&D rate control; and

(b) the number of applicants from the North Eastern region during the

last three years and the products approved on the basis of their applications?

THE MINISTER OF STATE IN THE MINISTRY OF SUPPLY AND REHABILITATION (SHRI BHAGWAT JHA AZAD): (a) No, Sir.

(b) During the last three years six firms have applied for registration with DGS&D out of which five have been registered. Details of the firms, the products for which they are registered and the particulars in respect of the firm who could not be registered are indicated in the Statement attached.

Statement

Sl. No.	Name of the firm	Name of the Products for which registered.
1	M/S. Buildworth Ltd., Steel-Worth Building. GS Road, Dispur, Gauhati.	(i) Tubular Structure, (ii) Jeep Trailors, (iii) Steel Tubular poles.
2	M/S. Frontier Timber Products, Post Box No. 29, Digboi, Assam.	Timbr.
3	M/S. Woodlands Enterprise Tingarai, Hoojringan Road, Sawpur, Tinsukhia.	Do.
4	M/S. Mahabir Rice and Saw Mills, P.O. Tangala, Darrang, Assam.	Do.
5	M/S. Goel Saw Mills, Anandpara, P.O. Digboi, Assam.	Do.
6	M/S. Assam Frontier Forests Products, 16/2 Canal East Road, Calcutta (Works-Lumding, Assam).	This firm could not be registered because of non submission of Income Tax Clearance Certificate, Bankers name, Balance Sheet, Partnership Deed and other documents. Capacity report of the firm was also not favourable.

High power Transmitter Tower-cum-Revolving Restaurant for Promotion of Programmes during Asian Games

4227. SHRI BALASAHEB VIKHE PATIL: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) whether Government propose to set up a new High Power Transmitter Tower-cum-revolving restaurant for

promotion of programmes during the Asian Games in 1982;

(b) if so, what are the details of the proposal;

(c) what will be its cost; -

(d) how and by whom work is to be completed; and

(e) the extent of the areas to be covered by the high power transmitter?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI VASANT SATHE): (a) to (e). As a part of augmentation of TV service in Delhi, there is a proposal to increase the power of Delhi TV transmitter from 10 KW to 20 KW and to construct a 235 mts. RCC tower with a viewing gallery to support the antenna. With this, the TV service range will extend upto 90 km. covering an area of 25,400 sq. km. The preliminary estimates indicate that the cost will be about Rs. 251 lakhs. Attempts are being made to get the tower erected by the time the Asian Games are held. The work will be done by the Civil Construction Wing of All India Radio as per normal procedure.

Opening of branch Post Office, Public Call Offices and Telegraph Offices in West Bengal

4228. SHRI MATILAL HASDA: Will the Minister of COMMUNICATIONS be pleased to state:

(a) the total number of Branch Post Offices, Public Call Offices and Telegraph Offices going to be opened in West Bengal during the Sixth Plan period; and

(b) district-wise details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF COMMUNICATIONS (SHRI KARTIK ORAON): (a) Branch Post Offices, Public Call Offices and Telegraph Offices are opened, year to year, as a continuous process and within the Annual Plan targets. The total number of such offices which will be opened in West Bengal during the entire Sixth Plan period have not been worked out at this stage.

(b) 74 Branch Post Offices in the rural areas have been opened in West Bengal in 1980-81. 9 new Branch Post Offices are proposed to be opened during the year 1981-82. Details of Post Offices opened in 1980-81 and likely to be opened in 1981-82 district-wise are given in the Statement. It is estimated that about 500 long distance public

telephones and combined offices will also be opened during the Sixth Plan period.

F. Statement

Details of Branch Post Office opened during 1980-81 and are likely to be opened district-wise in West Bengal during 1981-82.

District	1980-81	1981-82
1. Bankura . . .	5	2
2. Burdwan . . .	1	4
3. Birbhum . . .	1	6
4. Coochbehar . . .	6	3
5. Darjeeling . . .	3	4
6. Howrah . . .	1	3
7. Hoogly . . .	2	4
8. Jalpaiguri . . .	1	3
9. Malda . . .	2	3
10. Murshidabad . . .	5	3
11. Midnapore . . .	8	9
12. Nadia . . .	2	5
13. Purulia . . .	13	7
14. West Dinajpur . . .	2	6
15. 24-Parganas . . .	22	4
TOTAL . . .	74	97

Construction of Cinema Houses in States

4229. SHRI A. C. DAS: Will the Minister of INFORMATION AND BROADCASTING be pleased to state.

(a) whether his Ministry are making efforts for the construction of more number of Cinema House in different States;

(b) whether loans have been given through the National Film Development Corporation and State Film Development Corporation for this purpose;

(c) if so, the total number of Cinema Houses in Orissa sanctioned loan through the S.F.D.C. or N.F.D.C;

(d) the places of Orissa where such Cinema Houses are under construction; and

(e) the details thereof?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI VASANT SATHE): (a) Construction of Cinema Houses is in the private sector and falls within the purview of the State Governments. As far as the Central Government is concerned, it has, through the National Film Development Corporation, been providing limited loans for Cinema Houses construction to private entrepreneurs.

(b) Yes, Sir.

(c) Under an agreement with Film Development Corporation of Orissa, the National Film Development Corporation has sanctioned seven loans against guarantee of Film Development Corporation of Orissa. The information regarding the loans granted by the Film Development Corporation of Orissa on its own, is being collected and would be laid on the Table of the House.

(d) Cinema House are under construction with the loan granted by the National Film Development Corporation at Bhubaneswar, Talcher, Jey-pore, Cuttack and Balasore.

(e) A statement indicating the details is attached.

Statement

S. No.	Names of the party	Place	Locations	(Rupees in Lakhs)		
				Amount Sanctioned	Share of amount NFDC	Bank
1	2	3	4	5	6	7
1	Kesari Talkies Pvt. Ltd.	. . . . . Bhubaneswar	Urban	7.50	3.75	3.75
2	Vasanthia Manjari Pradhan	. . . . . Telcher	Semi-Urban	3.00	1.50	1.50
3	Asuthosh Mahapatra	. . . . . Bhubaneswar	Urban	7.80	3.65	3.65
4	Indumati Naik	. . . . . Jaypore	Semi-Urban	3.00	3.65	1.50
5	Bhikari Charan Das	. . . . . Cuttack	Urban	7.50	3.75	3.75
6	Annappurna Chitra Mandir	. . . . . Balasore	Urban	4.66	2.33	2.33
7	Bhuyan Complex	. . . . . Balasore	Urban	7.50	3.75	3.75
8	Belarani Pvt. Ltd.	. . . . . Bhubaneswar	Urban	7.50	3.75	3.75
TOTAL				47.96	23.98	23.98

Appointment of Central Government Counsels in Supreme Court and High Courts.

4230. SHRI N. E. HORO: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) what are the details regarding the appointments of Government Counsels made by the Central Government in different courts (Supreme Court and High Courts);

(b) what is the number of such Government counsels at present belonging to Scheduled Castes and Scheduled Tribes or backward communities; and

(c) what is the number of women among Government Counsels belonging to Scheduled Castes and Scheduled Tribes at present?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI P. SHIV SHANKAR): (a) My Ministry has three Law Officers i.e., the Attorney General, Solicitor General and the Additional Solicitor General and has got panels of counsel for drafting work, income-tax cases, Senior and Junior Arguing Advocates in the Supreme Court. In the High Courts of Bombay and Calcutta, my Ministry has got panels of counsel divided into different categories. For Delhi High Court we have got a panel of Senior Counsel, two Central Government Standing Counsel and a Panel of Government Pleaders. For the Madras High Court, we have a panel of Senior Counsel, one Senior Standing Counsel and a panel of Additional Standing Counsel. In the other High Courts, my Ministry has appointed Standing Counsel and Additional Standing Counsel whose numbers depend upon the volume of litigation in a particular High Court.

(b) and (c). Information with regard to the number of Advocates belonging to the Scheduled Castes and the Scheduled Tribes and the number of ladies belonging to these categories is

not available and would be collected. As regards persons belonging to the backward communities, in the absence of any recognised and generally accepted list of backward classes prepared by the Central Government, the information requested is not available. The information based on the backward classes recognised by the States to the extent the same exist would be collected. It may also be added that the appointments of Standing Counsel/ Panel Counsel are made on the basis of their integrity, competence and standing at the Bar and not communitywise. No enquiry is made from the Counsel as to their community and accordingly, no record is maintained about the communities to which the counsel belong.

Chairman of N.P.C.C

4231. SHRI K. A. RAJAN: Will the Minister of ENERGY be pleased to state:

(a) whether it is a fact that the term of office of Shri D. R. Sikka, Chairman and Managing Director of NPCC Ltd. expired on 30th June, 1981 and he is still continuing in service without any formal extension; and

(b) if so, what is the reason for his not being relieved so far?

THE MINISTER OF STATE IN THE MINISTRY OF ENERGY (SHRI VIKRAM MAHAJAN): (a) No, Sir.

(b) Does not arise.

हिन्दुस्तान एन्टीवायोटिक्स लिमिटेड का उत्पादन बढ़ाने के लिए अनुमति

4232. श्री नवल किशोर शर्मा : क्या पेट्रोलेियम, रसायन और उर्वरक मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार ने सरकारी उपक्रम हिन्दुस्तान एन्टीवायोटिक्स लिमिटेड को उसका औषधियों का उत्पादन बढ़ाने तथा 30 और औषधियों का उत्पादन करने की अनुमति दी है; और

(ब) यदि हां, तो चालू वर्ष के दौरान प्रत्येक उत्पादक एकक में किन्-किन औषधियों के उत्पादन के लिए अनुमति दी गई है और उनकी कितनी मात्रा है तथा तत्संबंधी ब्यौरा क्या है ?

पेट्रोलियम, रसायन और उर्वरक मंत्रालय में राज्य मंत्री (श्री रणवीर सिंह) :
(क) सरकार ने बल्क औषधों और कई

फार्मूलेशनों के निर्माण हेतु क्षमताओं में विस्तार के लिये औद्योगिक लाइसेंस प्रदान किये हैं ।

(ख) बल्क औषधों और फार्मूलेशन के लिये हिन्दुस्तान एण्टीबायोटिक्स लिमिटेड को प्रदान किये गये औद्योगिक लाइसेंस के ब्यौरे संलग्न विवरण पत्र में दिये गये हैं ।

विवरण

उत्पाद	लाइसेंस संख्या और मंजूरी की तिथि	लाइसेंसीकृत क्षमता प्रतिवर्ष
1	2	3

क. बल्क औषधें

1. पेनिसिलिन	सी आई एल: 156(78) 80 से 160 एम०एम०य० दि० 4 अगस्त, 1978	
2. स्ट्रेप्टोमाइसिन	सी आई एल: 14(79) 85 से 170 टन दि० 29 जनवरी, 1979	
3. एम्पिसिलिन सहित अर्ध सिंथेटिक पेनिसिलिन	सी आई एल 271(79) 5 से 35 टन दि० 14 दिसम्बर, 1979	
4. जेन्टामाइसिन सल्फेट	सी आई एल: 63(80) 1000 कि० ग्रा० दि० 6 मार्च, 1980	

ख. फार्मूलेशन

जेन्टामाइसिन सल्फेट	सी आई एल: 136(78) 200 किलो दि० 11-7-78
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रिफाम्पिसिन और सेफालोस्पोरिन्स

	लाख संख्या	
कैप्सूल्स	सी आई एल: 86(79) 183	***
विद्युत्स	28, अप्रैल, 1979 60	
गोलियां	46	
सिरप	2	

*** 600 कि० ग्रा० रिफाम्पिसिन और 3000 कि० ग्रा० सेफालोस्पोरिन्स तथा सेफालोक्सिम, सेफालोथिन और सेफालोरिडाइन जैसे इसके डेरिवेटिव्स के बराबर ।

प्रौद्योगिक लाइसेंस (जारी) —

1	2	3	
	प्रतिरिक्त	विस्तार के पश्चात्	
		लाख सं०	जाख सं०
बियल्स	सीआईएन : 220 (79) 27 सितम्बर, 1979	1208	1740
केपस्यूल्स	—वही—	1591.64	1771.64
गोलियां	—वही—	9095.00	9275.00
अम्पूल्स	—वही—	488.00	488.00
ग्रॉयंटमेंट ट्यूब	—वही—	1013.00	1013.00
पोय शवंत की बातें	—वही—	4805.00	4805.00

उत्पाद	लाइसेंस संख्या और तिथि	अपेक्षित क्षमता प्रति वर्ष
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* उपरोक्त निम्नलिखित एण्टीबायोटिक्स औषधों पर आधारित है ।

1. पेनिसिलिन	60 एम एम यु
2. एरिथ्रोमाइसिन	19 टन
3. स्ट्रेप्टोमाइसिन	60 टन
4. एम्पेसिलिन और अर्ध सिंथेटिक पेनिसिलिन	12 टन
5. क्लोरामफेनोकोल	25 टन
6. विटामिन सी	02.5 टन
7. नियोमाइसिन, केनामाइसिन और जेन्टामाइसिन जैसे एमिनोग्लाइको साइडिक एण्टीबायोटिक्स	18.0 टन

बियल्स और अम्पूल्स

ए डिमाइसिन बियल्स 10 मि० ग्रा०	सीआईएन : 137 (79) 7 जुलाई, 79	50,000 संख्या
क्लोमाइसिन बियल्स 10 मि० ग्रा०	—वही—	50,000 संख्या
मिट्रोमाइसिन बियल्स 2 मि० ग्रा०	—वही—	2.5 लाख संख्या

कैपस्यूल्स

डिप्रोक्सी साइक्लीन कैपस्यूल्स 100 मि० ग्रा०	—वही—	100 लाख संख्या
क्लोरामफेनोक्ल कैपस्यूल्स 250 मि० ग्रा०	—वही—	600 लाख संख्या
टेट्रासाइक्लीन हाइड्रोक्लोराइड कैपस्यूल्स 250 मि० ग्रा०	—वही—	1000 लाख सं०

1	2	3
क्लोरोमफेनीकोल + स्ट्रेप्टोमाइसीन कंपस्यूल्स 125 मि० ग्रा० प्रत्येक	—वही—	600 लाख सं०
गोलिया		
एरिथ्रोमाइसिन स्टैरेट गोलियां 250 मि० ग्राम	—वही—	600 लाख सं०
क्लोगेक्वीन फास्फेट गोलियां 250 मि० ग्रा०	—वही—	600 लाख सं०
ट्राइमेथोप्रिम + सल्फामेथाक्साजोल गोलियां सहित 80 मि० ग्रा० ट्राइमेथोप्रिम और 400 मि० ग्रा० सल्फामेथाक्साजोल	—वही—	100 लाख सं०
160 मि० ग्रा० ट्राइमेथोप्रिम और 800 मि० ग्रा० सल्फामेथाक्साजोल वाली ट्राइ- मेथोप्रिम + सल्फामेथाक्साजोल गोलियां	—वही—	50 लाख सं०
प्रमेडियाक्वीन एच० सी० एल० गोलियां]	—वही—	1001 लाख सं०
सस्पेंशन		
क्लोरोमफेनीकोल—स्ट्रेप्टोमाइसिन प्रत्येक 4 मि० लि० तैयार सिरपकोल जिसमें 125 मि० ग्रा० क्लोरमफेनीकोल और स्ट्रेप्टो- माइसिन 125 मि० ग्रा० है	—वही—	100 लाख सं०
एरिथ्रोमाइसिन सस्पेंशन— प्रत्येक 5 मि० लि० एरिथ्रोमाइसिन 100 मि० ग्रा० दर्शाता है । (एरिथ्रोमाइसिन इथाइल सक्सीनेट के रूप में)	—वही—	100 लाख सं०
क्लोरोमफेनीकोल पायोटेट सस्पेंशन प्रत्येक 4 मि० लि० क्लोरमफेनीकोल 125 मि० ग्रा० रखता है ।	—वही—	100 लाख सं०
डोक्सीसाइक्लीन सस्पेंशन—प्रत्येक मि० लि० डोक्सीसाइक्लीन का 50 मि० ग्रा० रखता है	—वही—	100000 बोतलें ।
इन्सुलिन प्वेन इंजेक्शन 40 यूनिट प्रति मि० लि०	ग्राईएल 49179 20 सितम्बर, 79	10, लाख बायल्स 10 मि० लि० प्रत्येक
पिपराइजीन एडीपेट गोलियां 300 मि०	सी ग्राई एल : 279 (79) दि० 21 दिसम्बर, 79	13 लाख संख्या
क्लोरोप्रोमाइजीन हाइड्रोक्लोराइड गोलियां 25 मि० ग्रा०	—वही—	9 लाख संख्या
एमीनोफाइलिन गोलियां 100 मि० ग्रा०	—वही—	1 लाख संख्या

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मिविण्डाजोल गोलियां—100 मि० ग्रा०	—वही—	30 लाख सं०
फोलिक एसिड गोलियां—5 मि० ग्रा०	—वही—	360 लाख सं०
पी ए ए स सोडियम गोलियां—500 मि० ग्रा०	—वही—	38 लाख सं०
आई०एन०एच० गोलियां—50 मि० ग्रा०	—वही—	190 लाख सं०
आई०एन०एच० गोलियां—100 मि० ग्रा०	—वही—	85 लाख सं०
एनलजिन गोलियां—500 मि० ग्रा०	—वही—	100 लाख सं०
सल्फामिडीन गोलियां—500 मि० ग्रा०	—वही—	1 लाख सं०
इथाम्बटोल गोलियां—200 मि० ग्रा०	—वही—	45 लाख सं०
मिट्रोनिडाजोल गोलियां—100 मि० ग्रा०	—वही—	41 लाख सं०
मिट्रोनिडाजोल गोलियां—200 मि० ग्रा०	—वही—	62 लाख सं०
एमोक्सीलिन कैप्सूल्स—200 मि० ग्रा०	—वही—	58 लाख सं०
क्लोक्सासिजिन कैप्सूल्स—250 मि० ग्रा०	—वही—	30 लाख सं०
सल्फासेटामाइड 300 मि० ग्रा० 1 मि० लि० 10 मि० लि० बोतलें ।	—वही—	25 लाख बोतलें
सल्फासीटामाइड 100 मि० ग्रा०/मि० लि० 10 मि० लि० बोतलें	—वही—	25 लाख बोतलें
पिपराजाइन साइट्रेट सिरप—450 मि० लि० बोतलें	—वही—	2.5 लाख बोतलें
थियोफाइलिन सिरप 110 मि० लि० बोतलें	—वही—	5 लाख बोतलें
ग्लोक्सीटेट्रासाइक्लीन एनीमल फार्मूला 25 मि० ग्रा० पाकेट	सीआईएल : 278(79) 2.00 लाख दि० 21 दिसम्बर, 79	
ग्लोक्सीटेट्रासाइक्लीन इंजी० फार्मूला 40 मि० ग्रा० पाकेट	—वही—	20.00 लाख
स्ट्रेप्टोमाइसिन विटा० इंजेक्शन स्ट्रेप्टोमाइसिन बेस 2.5 ग्रा० स्ट्रेप्टोमाइसिन प्रोकेन पेनिसिलिन सोडियम रेनिसिलिन पेनिसिलिन वेटरनरी इंजेक्शन प्रोकेन पेनिसिरिन	—वही—	2.00 लाख
सोडियम पेनिसिलिन	—वही—	2.00 लाख
सल्फाडिमिडाइन गोलियां 0.5 ग्रा०	—वही—	3.50 लाख
ग्लोक्सीटेट्रासाइक्लीन गोलियां 0.5 ग्रा०	—वही—	72.00 लाख

1

2

3

एश्टीबायोटिक्स इन्फ्यूजन 10 मि० लि०

मेस्ट्रीक ट्यूब के लिए, एरिथ्रोमाइसिन
प्रोडोनोलोन, नीमोमाइसिन

सीआईएल : 278(79)

दि 0 21 दिसम्बर, 79 2.40 लाख

पिपराजाइन हेक्सा हाइड्रेड तरल 100 मि०
लि० से

—वही— 0.8 लाख

पिपराजाइन हेक्सा हाइड्रेड तरल 500
मि० लि० से

—वही— 0.8 लाख

पिपराजाइन हेक्सा हाइड्रेड तरल 4.5
लिटर से

—वही— 0.4 लाख

फिनोथिजिन पाउडर आधा कि० ग्रा०/एक
कि० ग्रा०

—वही— 2.0 लाख

क्वीन्पेपेरेमाइन 2.5 ग्रा०

—वही— 2.0 लाख

डिक्लोरेफेन गोलियां 0.5 ग्रा०

—वही— 2.0 लाख

**Non-Inclusion of Names of SC/ST
on Panel of Officers of Central
Information Service**

4233. SHRI R. R. Bhole: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) whether his Ministry had drawn a panel of 16 officers of Central Information Service for deputation as Under Secretary/Deputy Secretary and they were all absorbed;

(b) whether it is also a fact that no Scheduled Caste/Tribe was included in the panel or absorbed as US/DS;

(c) if so, the reasons therefor;

(d) whether it is a fact that 150 Grade III officers were promoted to Grade I and it did not include even a single SC or ST Officer;

(e) if so, the reasons therefor; and

(f) whether the Central Information Service is maintaining rosters of reservations for SC and ST in promotions as laid down under the rules and if not, the reasons therefor?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI VASANT SATHE): (a) The Department of Personnel has empanelled 16 Central Information Service officers for Deputy Secretary level posts of whom only one officer has been absorbed as Deputy Secretary. Fifteen CIS officers have been empanelled by the Deptt. of Personnel for Under Secretary level posts and none of them has been absorbed so far;

(b) No, Sir. The panel for Deputy Secretary-level posts includes 4 Scheduled Caste and 2 Scheduled Tribe officers. The panel for Under Secretary-level posts includes 2 Scheduled Caste officers;

(c) Does not arise;

(d) The rules do not provide for promotion from Grade III to Grade I of the Central Information Service. However, 102 Grade III officers, including 16 Scheduled Castes officers and 7 Scheduled Tribes officers, were promoted to Grade II of Central Information Service recently.

(e) Does not arise;

(f) The reservation rules are duly followed where promotion to various grades of the Central Information Service is made.

Rates of Government's Advertisement for Newspapers/Periodicals

4234. SHRI R. N. RAKESH: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) what are the criteria adopted by Government regarding rates for Government's advertisements in force w.e.f. January, 1981 for various categories of newspapers and periodicals;

(b) the total amount spent by Government on advertisements during 1980-81;

(c) the break-up of this expenditure amount according to small, medium and big newspapers; and

(d) the break-up of the number of such newspapers in each category, language-wise?

THE DEPUTY MINISTER IN THE MINISTRY OF INFORMATION AND BROADCASTING (KUMARI KUMUD BEN. M. JOSHI): (a) The current Directorate of Advertising and Visual Publicity advertisement rates are based on a standardised Rate Structure arrived at after an in-depth study of newspapers economics.

(b) The total amount spent by Government on advertisements through Directorate of Advertising and Visual Publicity during 1980-81 was Rs. 3,50,55,546/-.

(c) and (d). The information is given in the Statement.

Statement

Classified and Display Advertisements (Combined) 1980-81 (1-4-80 to 31-3-81).

BIG MEDIUM SMALL

	No. of papers	No. of insertions	Space in col. cm.	Amount	No. of papers	Inser- tions	Space	Amount	No. of papers	Inser- tions	Space	Amount
English . . .	31	13,676	3,30,148	7713493	47	13931	349965	2587030	253	11239	403674	1638685
Hindi . . .	38	7714	250603	3783204	77	7027	316344	2185433	631	16196	829759	2918095
Urdu . . .	4	243	12145	90298	13	2649	97166	551122	287	10016	487221	1542095
Punjabi . . .	1	391	14955	121745	7	642	33822	202719	95	2761	126973	473138
Sindhi . . .	..	..	..	..	1	29	1582	8888	16	603	35904	125823
Gujarati . . .	14	1887	84286	1016347	23	1197	71896	431915	59	2108	103362	350470
Marathi . . .	14	2017	86990	1088069	19	2516	104731	614719	122	2429	142124	476016
Bengali . . .	5	584	20826	778086	9	1932	69745	302525	145	2464	146873	488777
Manipuri . . .	..	..	..	..	..	..	..	..	3	240	16200	45573
Assamese . . .	..	..	..	..	5	665	28861	193406	16	453	37325	141128
Oriya . . .	1	378	16871	158018	1	309	18856	119950	25	695	37058	149342
Tamil . . .	12	800	33898	632381	33	1686	59336	412835	54	979	41860	120554
Telugu . . .	16	857	41095	512012	19	672	27465	199866	56	1272	64766	229718
Malayalam . . .	15	1206	65916	1261697	23	1000	57049	332753	39	790	37317	136883
Kannada . . .	7	1350	62766	612738	6	67	2948	18740	38	894	49041	142064
Mizq & Kashi . . .	..	..	..	..	..	..	..	..	12	303	18665	44874
Kankani . . .	..	..	..	..	..	..	..	..	2	25	1917	6037
Sanskrit . . .	..	..	..	..	..	..	..	..	6	57	3670	11269
TOTAL	158	31103	1020310	17768094	283	34322	1240266	8246891	1859	53530	2583709	9040561

Coal Distributed by BCCL

4235. SHRI RANJIT SINGH: Will the Minister of ENERGY be pleased to state:

(a) is it a fact that the B.C.C.L. has a policy to distribute coal—half of which is the washery variety and the other half of the grade C (ROM), slack grade (D) etc;

(b) whether he is aware that some persons were given grade C (ROM), from Lohapatti Colliery, Dhanbad; and

(c) who are the persons so given and for what reasons?

THE MINISTER OF STATE IN THE MINISTRY OF ENERGY (SHRI VIKRAM MAHAJAN): (a) Substantial part of the stocks of coal held by Bharat Coking Coal Ltd. is of inferior washery grade. With a view to market these inferior grades coal, Bharat Coking Coal Ltd. and the Central Marketing Organisation of Coal India Ltd. have taken a policy decision to release to the customers, who obtain coal on an unrestricted basis from the free sale mines, the inferior Grade washery Grade coal and superior grades C & D Coals in equal proportions.

(b) and (c). Necessary information is being collected and would be laid on the Table of the House.

आकाशवाणी में सहायक निदेशक के रिक्त पदों को भरे जाने में विलम्ब

4236. श्री राम लाल राहो : क्या सूचना और प्रसारण मंत्री यह बताने की कृपा करेंगे कि :

(क) आकाशवाणी में सहायक निदेशकों के कुछ रिक्त पदों के लिये संघ लोक सेवा आयोग द्वारा किये जाने वाले चयन में हो रहे विलम्ब के क्या कारण हैं; और

(ख) इन पदों पर सीधे नियुक्ति हेतु चयन करने के लिये क्या कार्यवाही की जा रही है ।

सूचना और प्रसारण मंत्री (श्री बसन्त साठे) : (क और ख). पदों को पदान्ति और सीधी भर्ती के माध्यम से 3:1 के अनुपात में भरा जाना होता है । पदान्ति के कोटे के लिए विभागीय पदान्ति समिति द्वारा अनुमति प्राप्त पैनल को प्रभावी बनाए जाने में पहले उसकी स्वीकृति की प्रतीक्षा है, और सीधी भर्ती के कोटे के लिए, संघ लोक सेवा आयोग ने एक विज्ञापन पहले ही जारी कर दिया है जिसमें आवेदन-पत्र मांगे गए हैं ।

Transfer of Telephones to Heirs of Deceased Subscribers

4237. SHRI BALKRISHNA RAM-CHANDRA WASNIK: Will the Minister of COMMUNICATIONS be pleased to state:

(a) whether it is a fact that telephones are not transferred to the heirs of deceased subscribers who were office bearers of certain organisations and the telephones were sanctioned to them by virtue of their being office bearers of those organisations some 30 to 40 years back;

(b) if so, the reasons therefor; and

(c) whether Government propose to amend this rule in order to enable the heirs of such deceased subscribers to retain the telephone which had been with them for the last many decades?

THE MINISTER OF STATE IN THE MINISTRY OF COMMUNICATIONS (SHRI KARTIK ORAON):

(a) and (b). A telephone which is originally sanctioned in the name of any persons who is an office bearer of an organisation can be transferred on his death to his legal heir. However, if the telephone had been sanctioned in the name of the organisation and installed at the premises of that person, transfer to his legal heir is not permitted under the Rules.

(c) No Sir, in view of reply to (a) and (b).

Training of T.V. Cameramen and T.V. Producers

4238. SHRI BASUDEB ACHARYA: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) whether there is a proposal for sending T. V. Cameramen and T. V. producers to foreign countries for training before Asia 82;

(b) if so, give the names of places when and where these trainings are proposed to be held;

(c) whether the staff to be sent for training has been selected; and

(d) if so, the details thereof?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI VASANT SATHE): (a) and (b). Yes, Sir. Apart from a group of 24 officers sent to West Germany in July/August 1981 for this purpose, there are at present two proposals for training at:—

(i) Asian Pacific Institute for Broadcasting Development, Kuala Lumpur (from 5th to 30th October, 1981); and

(ii) NORD Deutscher Rundfunk, Hamburg, FRG (dates yet to be worked out).

(c) and (d). No, Sir. The staff for the above two mentioned training courses has not yet been selected.

Localities of West Zone of Delhi put on Technically non-Feasible List

4239. SHRI SHIVKUMAR SINGH THAKUR: Will the Minister of COMMUNICATIONS be pleased to state:

(a) the names of the localities in the West Zone of Delhi which have been put on the TNF (technically non-feasible) list for purposes of Telephone connections;

(b) the main reasons for these localities being put on Technically Non-Feasible list;

(c) the number of telephone connections sanctioned but not installed in West Zone due to TNF since January 1981; and

(d) the date by which these connections are likely to be installed?

THE MINISTER OF STATE IN THE MINISTRY OF COMMUNICATIONS (SHRI KARTIK ORAON): (a) The details may kindly be seen in the Statement.

(b) Due to paucity of capacity in underground cable pairs.

(c) 1012.

(d) Likely to be installed by the end of 1981 subject to availability of requisite stores.

Statement

Names of Technically Non-feasible localities in West Area are as under:—

I. SHAKTI NAGAR

1. Mangolpuri—Saraswati Vihar.
2. Tri Nagar.
3. Lawrence Road.
4. Ashok Vihar Phase-I.
5. Ashok Vihar Phase-II.
6. Ashok Vihar Phase-III.
7. Wazirpur Industrial Area.
8. Burori Village.
9. Jhangirpuri, Ashok-Vihar.
10. Mukherjee Nagar.
11. Gujranwala Town.

II. RAJOURI GARDEN

1. Ajay Enclave, Tihar Block 4, 6, 7, 15, 17, 9; 16; 8; Subhash Nagar, DDA MIG Rajouri Garden, BE Block Hari Nagar, F & B Block, Hari Nagar, BL Block Hari Nagar.
2. B Block Janakpuri, Shiv Nagar, G Block Hari Nagar.
3. Block J—3, J—5, J—7, J—12 Rajouri Garden.
4. LIG, MIG DDA Mayapuri, Block W & WS Mayapuri, D—1, D—2 Block

Mayapuri.

5. Vishnu Garden, Khyala, Chand Nagar, Vikaspuri.

6. Shivajee Park.

7. New Multan Nagar.

8. Reserve Bank Colony Vasant Vihar.

9. Punjabi Bagh Road No. 6, and 62 (West).

10. Bhagwan Dass Nagar.

11. Road No. 14, Punjabi Bagh.

12. Road No. 32, Punjabi Bagh.

13. B Block, Rajouri Garden, C Block Mansarovar Garden, WHS Kirti Nagar, Ramesh Nagar.

14. DE Block Tagore Garden, B Block Raghbir Nagar, FB and CA Block Tagore Garden.

15. Block C&F Kirti Nagar.

16. WZ 8 I/A Kirti Nagar, Block 4 Kirti Nagar Industrial Area.

17. 69 N.G. Road No. 24, 62, NG Road 39.

18. D.E.F.G. Naraina CB Area Naraina WZ Area Naraina.

III. KAROLBAGH:

1. Anand Parbat Industrial Area, Tank Road, Karol Bagh, Ramjas Road, New Rohtak Road, Reharpura and Sat Nagar, Upper Anand Parbat, Inderpuri, Naraina and X and Y Block Loha Mandi, Ranjit Nagar, Shadi, Khampur, Baljit Nagar, D.F.H., Block West Patel Nagar.

IV. OUTLYING EXCHANGES INCLUDING DELHI CANT AND JANAKPURI

Delhi Cant:

Army Hospital, Samalkhi, Rajakori, Tapas Khera, Gurgaon Road, Mahipalpur and Palam Colony, Uttam Nagar, Ramdutt park, Jiwan Park, Ashok Market, Raj Rani Market, etc.

Janakpuri: and Outlying exchanges.

Badi, Gopipura, Kherakalan, Samipur etc.

Nangloi, Peera Gari, D. S. I, Industrial Complex, Meera Bagh, Sunder Vihar, Najafgarh Mandi, Village etc. Bazaar.

Introduction of push button telephones in place of conventional instruments

4240. SHRI ERA ANBARASU: Will the Minister of COMMUNICATIONS be pleased to state:

(a) whether it is a fact that Government have decided to selectively introduce push-button telephones (PBTs) in place of the conventional telephone instruments;

(b) if so, what are the advantages of the PBTs over the conventional instruments;

(c) whether it is also a fact that some small-scale units licenced by the Development Commissioner for Small Scale industries are making electronic diallers which can be used in PBTs; and

(d) if so, whether Government propose to make use of the indigenous production of electronic diallers to be used in PBTs?

THE MINISTER OF STATE IN THE MINISTRY OF COMMUNICATIONS (SHRI KARTIK ORAON):

(a) No, Sir.

(b) Does not arise in view of (a) above.

(c) No, Sir. Not for Public Telephones.

(d) Does not arise in view of (c) above.

Members of staff of Akashvani Group of Journals not having working knowledge of Hindi

4241. PROF. NIRMALA KUMARI SHAKTAWAT: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) the number of members of staff of Akashvani Group of Journals

who do not have working knowledge of Hindi;

(b) the number of clerks/typists who have passed typing tests in Hindi; and

(c) if all have not passed the typing test, the reasons therefor?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI VASANT SATHE): (a) Twenty-two.

(b) Ten.

(c) Out of 24 Clerks, 10 are trained in Hindi typing. Nabhovani, Vanoli, Vani, Akashi and Betar Jagat are Non-Hindi Journals and the 9 Clerks attached to these Journals are not required to type or to do correspondence in Hindi. The 5 Clerks attached to the Hindi Journals will be detailed for Hindi Typing Training.

Names of English and Hindi Weeklies/Fortnightlies/Monthlies Published by I & B Ministry

4242. SHRIMATI PRAMILA DANDAVATE: Will the Minister of IN-

FORMATION AND BROADCASTING be pleased to state:

(a) names and Average pages of various English and Hindi weeklies, fortnightlies and monthlies published by the Ministry of Information and Broadcasting;

(b) sanctioned and working editorial staff for each journal, separately;

(c) supporting clerical staff and typists for editorial work in each journal; and

(d) is there any discrimination in Hindi versus English journals in the matter of Staff?

THE DEPUTY MINISTER IN THE MINISTRY OF INFORMATION AND BROADCASTING (KUMARI KUMUDBEN M. JOSHI): (a) to (c). The information is given in the statement.

(d) No, Sir.

Statement

S	No.	Name of Journal	Periodicity	Average Pages	Sanctioned & Working Editorial Staff				Supporting		Clerical Staff	
					Chief Editor	Editor	Correspondent	Asstt. Editor	Sub-Editor	P.A.		Junior C.G. II/ Steno L. D.C.
English												
	1.	Indian & Foreign Review	Fortnightly	28 + Cover	1	..	..	2	1	2	..	1
	2.	Kurukshetra	Fortnightly	128 + Cover	..	1	..	2	1	..	1	..
	3.	Yojana	Fortnightly	32 + Cover	1*	1	1	2	1	2	1	1
	4.	Employment News	Weekly	24	1** (G.M. cum-Chief Editor)	1	..	..	..	2	2	Common to Both
Hindi												
	5.	Employment News *** (Rozgar Samachar)	Weekly	24	..	..	..	1	1	..	..	1
	6.	Bal Bharati	Monthly	56 + Cover	..	1	..	..	2	..	..	1
	7.	Kurukshetra	Monthly	32 + Cover	..	..	..	1	1	..	1	1
	8.	Ajkal	Monthly	48 + Cover	..	1	..	1	1	1	..	1
	9.	Yojana	Fortnightly	32 + Cover	..	1	..	1	1	1	1	1

*Chief Editor is the Head of all Yojana Editions.

**The General Manager-cum-Chief Editor is the Head of all Editions of Employment News.

***Rozgar Samachar (Hindi) is only the translation of Employment News (English).

Proposals for Rural Electrification for Tribal Areas

4243. SHRI GIRIDHAR GOMANGO: Will the Minister of ENERGY be pleased to state:

(a) whether his Ministry have received new proposals from States for the years 1980-81 and 1981-82 for rural electrification schemes in tribal areas;

(b) if so, State-wise R.E.C. schemes sanctioned and to be sanctioned up to the year 1981-82 in tribal areas;

(c) the total number of tribal Blocks in the country, State-wise, covered by the R.E.C. scheme so far; and

(d) whether his Ministry have asked the States to complete the electrification schemes approved so far in time and the progress made so far?

THE MINISTER OF STATE IN THE MINISTRY OF ENERGY (SHRI VIKRAM MAHAJAN): (a) and (b). The Rural Electrification Corporation has sanctioned 72 Rural Electrification Schemes involving loan assistance of Rs. 36.33 crores in the Tribal Areas in various States during 1980-81. During 1981-82 (upto the end of August, 1981), the Corporation has sanctioned 19 more rural electrification schemes involving loan assistance

of Rs. 9.76 crores in the tribal areas. The State-wise details of the scheme sanctioned during 1980-81 and during 1981-82 are indicated in the enclosed Statement-I.

Besides above schemes, as on 31st July, 1981, 33 schemes were under examination with the Corporation or pending revision with the State Electricity Board/State Governments. The details of these schemes are indicated in the Statement-II enclosed.

(c) The information regarding the Tribal Schemes sanctioned State-wise is given in Statement-III. Normally each scheme cover one or more than one Block.

(d) The schemes sanctioned so far upto the end of August, 1981 on completion envisage electrification of 36,973 villages. The schemes are to be implemented for a period of five years, upto the end of March, 1981, 11,804 villages have been electrified under these schemes. These scheme's are being implemented by the State Electricity Boards. The implementation of these schemes are being monitored by the Rural Electrification Corporation and the Ministry of Energy review the progress periodically. The State Governments are being advised to take suitable steps to improve the completion of these projects.

Statement-I

Details of Rural Electrification schemes sanctioned in Tribal Areas during 1980-81 and 1981-82 (Upto 31-8-1981) by R.E.C.

Sl. No.	State	1980-81			1981-81 (upto 31-8-1981)		
		No. of schemes	Loan amount (Rs. lakhs)	Villages to be electrified	No. of schemes	Loan amount (Rs. lakhs)	Villages to be electrified
1	2	3	4	5	6	7	8
1	Andhra Pradesh	3	202	212	..	..	..
2	Assam	4	314	302	..	..	..
3	Bihar	9	462	657	..	..	..

1	2	3	4	5	6	7	8
4	Gujarat	6	343	564	1	39	43
5	Himachal Pradesh . . . . .	..	..	..	..	..	..
6	Karnataka	1	14	19	..	..	..
7	Madhya Pradesh	10	571	892	7	423	798
8	Maharashtra	5	159	191	1	32	54
9	Manipur	1	66	94	2	136	53
10	Meghalaya	5	160	180	..	..	..
11	Nagaland	2	152	53	..	..	..
12	Orissa	2	118	251	2	101	63
13	Rajasthan	4	380	386	..	..	..
14	Tripura	8	208	111	1	10	22
15	Uttar Pradesh . . . . .	..	..	..	..	..	..
16	West Bengal	12	534	829	5	235	328
TOTAL		72	3633	4741	19	976	1361

Statement-II

Details of Schemes covering Tribal Areas under examination with REC/Pending revision with SEB as on 31-7-1981

Sl. No.	Name of the Schemes (Blocks/Taluks)	District
1	2	3
BIHAR		
1	Erki Block	Ranchi
2	Garu & Mahudanr Block	Palamau
3	Kamdare Block	Ranchi
4	Raidih & Chanpur	Ranchi
5	Mohanpur & Goelkere	Singhbhum
6	Namkum (Khirjri)	Ranchi
7	Paukuria	Santhal Parganas
8	Kathikund	Santhal Parganas
9	Burmu Block	Ranchi

1	2	3
MADHYA PRADESH		
10	Malkharada Block	Bilaspur
11	Mungeli & Iormi Block	Bilaspur
12	Deosar Block	Sidhi
RAJASTHAN		
13	Aspur P.S.	Dungarpur
14	Dungarpur P.S.	Dungarpur
ASSAM		
15	Haglong Block	N.C. Hills
16	Nowgong-IX	Nowgong
17	Silchar	Cachar
18	Baithlangco	Karbi Anglong
19	Gomaigaon	Goal
20	Mankachar-I	Goal
ORISSA		
21	Bishra	Sundergarh
22	Korkunda	Korapur
23	Golmunda	Kalahandi
24	Roruan	Mayurbhanj
25	Nuagaon	Sambalpur
26	Sundergarh Tangarpalli	Sundergarh
27	Chandrapur	Korapur
28	Junagarh	Kalahandi
29	Gunupur	Korapur
30	Patna	Keonjhar
31	Similiguda	Koraput
32	Nuagaon	Phulbani
33	Khajuripada	Phulbani

Statement-III

Statewise number of schemes sanctioned in tribal areas by REC (upto 31-8-1981).

Sl. No.	State	No. of schemes sanctioned as on 31-8-1981
1	Andhra Pradesh	34
2	Assam	15
3	Bihar	44
4	Gujarat	23
5	Himachal Pradesh	8
6	Karnataka	2
7	Madhya Pradesh	117
8	Maharashtra	27
9	Manipur	6
10	Meghalaya	38
11	Nagaland	10
12	Orissa	82
13	Rajasthan	22
14	Tripura	19
15	Uttar Pradesh	2
16	West Bengal	45
TOTAL		494

Note : Each scheme normally covers one or more than one block.

Rental charges for the period between disconnection and reconnection of a Telephone

4244. SHRI JAI NARAIN ROAT: Will the Minister of COMMUNICATIONS be pleased to state:

(a) whether it is a fact that rental charges for a telephone for the period between its disconnection and reconnection is charged from the subscriber;

(b) if so, what is the basis for such a charge; and

(c) whether Government are aware that it is an excess charge on the part of the subscriber when the telephone facility during the period is not available to him/her?

THE MINISTER OF STATE IN THE MINISTRY OF COMMUNICATIONS (SHRI KARTIK ORAON): (a) Yes, Sir. If he telephone has been disconnected due to non-payment of dues.

(b) and (c). This is to compensate for the equipment associated with the telephone in question, as otherwise this equipment would have been utilized for another telephone connection.

गुजरात में मेहसाना और पालनपुर मण्डलों में टेलीफोन कनेक्शन

4245. श्री मोती भाई वार. चौधरी : क्या संचार मंत्री यह बताने की कृपा करेंगे कि :

(क) गुजरात में मेहसाना और पालनपुर मण्डलों में कितने ऐसे मामले हैं जिनमें गत एक वर्ष, दो वर्ष और तीन वर्षों से कनेक्शन नहीं दिए गए हैं और उस के क्या कारण हैं और ये कनेक्शन कब तक दे दिए जाएंगे ।

(ख) उक्त दोनों मण्डलों में ऐसे कितने मामले हैं जिनमें ओ वाई टी योजना के अन्तर्गत धनराशि जमा करवाने के बाद भी कनेक्शन नहीं दिए गए हैं ;

(ग) क्या उन व्यक्तियों को भी टेलीफोन कनेक्शन समय पर नहीं दिए गए हैं जिन्होंने निर्धारित समयावधि के दौरान धनराशि जमा करवा दी; और

(घ) यदि हां, तो क्या इसके लिए उत्तरदायी व्यक्तियों के खिलाफ कार्यवाही करने का विचार है ?

संचार मंत्रालय में राज्य मंत्री (श्री कार्तिक उरांव) : (क) उन मामलों की

संख्या जिनमें पिछले एक, दो या तीन वर्षों से कनेक्शन नहीं दिए गए :

(i) मेहसाना डिवीजन :	एक वर्ष	—	267
(तार)	दो वर्ष	—	100
	तीन वर्ष	—	शून्य

(ii) पालनपुर डिवीजन :	एक वर्ष	—	371
(तार)	दो वर्ष	—	232 एवं
	तीन वर्ष	—	102.

मेहसाना, पाटन, कलोल, उर्भञ्ज, बिस्वनगर एवं दीमा जैसे बड़े एक्सचेंजों में क्षमता की कमी तथा कुछ अन्य एक्सचेंजों में लाइन भंडारों तथा सामग्री की कमी के

कारण टेलीफोन कनेक्शन प्रदान नहीं किए जा सके। मौजूदा प्रतीक्षा सूची के कनेक्शन 1984-85 तक उत्तरांतर प्रदान किए जाने की वाशा है।

(ख) मेहसाना डिवीजन : 25
(तार)

पालनपुर डिवीजन : 14
(तार)

(घ) जी नहीं। जमा राशि की अदायगी के पश्चात् कनेक्शन प्रदान करने के लिए कोई बचिबि विधित नहीं की गई है।

(ग) प्रश्न ही नहीं उठता।

ट्रान्समिशन एग्जीक्यूटिवों और स्टाफ कलाकारों की पदोन्नति के अवसर

4246. श्री जयपुर राम : क्या सूचना और प्रसारण मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि नियमों के अन्तर्गत आकाशवाणी के ट्रान्समिशन एग्जीक्यूटिवों का कार्यक्रम एग्जीक्यूटिव से महानिदेशक तक के पदों पर पदोन्नति के अवसर उपलब्ध है :

(ख) क्या यह भी सच है कि स्टाफ कलाकारों को भी सामान्य सहायक से चीफ प्रोड्यूसर तक के लिए पदोन्नति के अवसर उपलब्ध हैं;

(ग) क्या उपरोक्त भाग (क) में दिए गए वर्ग के लिए पदोन्नति के नियम अभी भी लागू हैं जबकि उपरोक्त भाग (ख) में दिए गए वर्ग से सम्बन्धित नियम रद्द कर

दिये गए हैं जिसके परिणाम स्वरूप अधिकांश आर्टिस्ट और प्रोडक्शन सहायक एक ही पद पर गत 25 वर्षों से कार्य कर रहे हैं और रिक्तियां विज्ञापन के माध्यम से भरी जा रही हैं; और

(घ) यदि हां, तो इस भेदभाव के क्या कारण हैं ?

सूचना और प्रसारण मंत्री (श्री बल्लभ साठे) : (क) जी हां।

(ख) जी, हां। स्टाफ आर्टिस्ट संविधा कर्मचारी है। पदोन्नति के अवसर हैं अर्थात् प्रोड्यूसरों से उप मुख्य प्रोड्यूसर/मुख्य प्रोड्यूसर तक।

(ग) उपर्युक्त भाग (क) में उल्लिखित श्रेणी के पदोन्नति के बारे में नियम अभी लागू हैं और इनको वापस नहीं लिया गया है।

(घ) प्रश्न नहीं उठता।

Rotation of Cameramen

4247. SHRI CHRISTOPHER EKKA: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) Is it true that some order for rotation of Cameramen from Electronic Camera Unit to Film Camera Unit and vice versa had been issued in 1981 by the Directorate of Doordarshan;

(b) what are the details of such order;

(c) whether it is implemented and continuing still; and

(d) whether rotation of cameramen is according to seniority; if not, the reasons therefor?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI VASANT SATHE): (a) Yes, Sir.

(b) The details of rotation orders issued in January, 1981 and April, 1981 broadly are given below:

- (i) There should be regular exchange between Film and Electronic Cameramen on rotation basis according to rosters to be prepared by Directors of Doordarshan Kendras for respective areas.
- (ii) The Directors should earmark at the most two or three Cameramen who have specialised in filming and are senior enough for the assignments for the coverage of VIPs. The Cameramen so earmarked will not be in that exchange in the Roster.
- (iii) The Film Cameramen excluding those earmarked for VIP coverages, should be divided into four groups in order of Roster. Each group should be exchanged with equal number of electronic Cameramen every 6 months.
- (iv) The Cameramen who were not film cameramen before joining Doordarshan but were in some other discipline and have acquired skill for handling electronic cameras, such electronic cameramen should be kept out of rotation.

(v) The complete chain of exchange will take about two years' time. Thereafter, again the Roster will be repeated.

(vi) The first exchange should take place on 1-3-1981.

(c) Yes, Sir.

(d) In such matters aptitude and ability of the individuals and nature of the work have to be given prime consideration.

Approval of price for Indigenously Produced Chloramphenicol

4248. SHRI CHANDER PAL SINGH:
SHRI CHINTAMANI JENA:

Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) what is the price approved for indigenously produced Chloramphenicol and its esters from basic stages in the country;

(b) what is the price of pyridine, Hydrochloric acid and other chemicals that are used in manufacture of the above in the market;

(c) whether it is true that prices of raw-material on the basis of which approval of price has been given for indigenously produced Chloramphenicol and its esters have been inflated; and

(d) what steps have Government taken to ensure that realistic market prices are taken into account before price approval is given?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM, CHEMICALS AND FERTILIZERS (SHRI DALBIR SINGH): (a) Government have fixed the price of Chloramphenicol powder ex-Benzyldehyde at Rs. 644/- per kg. effective 7th Oct., 1980. The prices of Chloramphenicol Palmitate and Chloramphenicol Sodium Succinate based on Chloramphenicol

Powder price so fixed have been fixed at Rs. 679.50 per kg. and Rs. 1024.45 per kg. respectively.

(b) to (d). The prices of raw materials are scrutinised by the Bureau of Industrial Costs and Prices before their adoption in working out the prices of bulk drugs, by verification of purchase invoices for the relevant items. Quantity of raw materials purchased from normal source of supply in sizeable quantity are recognised for this purpose and this ensures that a realistic market price for the raw materials forms the basis for arriving at the fair price for bulk drugs. A number of raw materials/chemicals are required for the production of Chloramphenicol and its esters. Pyridine is used in the manufacture of Chloramphenicol Palmitate and the existing price of Chloramphenicol Palmitate is based on delivered price of Pyridine of Rs. 79.29 per kg. The manufacturer of Pyridine Grade I, namely, M/s. Warner Hindustan Limited have intimated the price of this material at Rs. 80/- per kg. effective 24th August, 1981 which is exclusive of sales-tax, other local taxes and transportation cost etc. In regard to Hydrochloric Acid a rate of Rs. 1.85 per kg. has been adopted in working out the prices of Chloramphenicol and its esters. A number of other chemicals are used in the manufacture of Chloramphenicol and its esters. The current market rates of these chemicals are not readily available.

Fee fixed for Government Pleaders

4249. SHRI ARVIND M. PATEL: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state the details of rules and regulations and the fee fixed for Government pleaders for the Centre, State-wise?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI P. SHIV SHANKAR): The terms of Senior and Junior Panel Counsel in the Supreme Court, Senior Counsel in Delhi and Madras High Courts, Panel

Counsel in Bombay and Calcutta High Court, Standing Counsel in the other High Courts including Judicial Commissioner's Court in Goa, and Central Government Pleaders, in the City Civil Courts, Bombay, Calcutta, Madras, Bangalore, Hyderabad and Secunderabad and the Subordinate Courts in Delhi appointed by my Ministry are laid on the Table of the House. [Placed in Library See No. LT-2832/81]. The State Government Pleader appointed by the various State Governments are authorised to appear on behalf of the Central Government in the respective Subordinate Courts and for this purpose they are paid the same fees as is admissible to them under the Rules prescribed by the various State Governments.

Supply of L.P.G. to Mathura by Agra dealers

4250. SHRI C. T. DHANDAPANI:

SHRI DIGAMBER SINGH:

Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to refer to the reply given to Unstarred Question No. 1237 on 25th May, 1981 regarding opening of L.P.G. distribution agencies in Mathura and state:

(a) whether at present there being no Gas agency in Mathura, the gas connection holders are getting the L.P. gas cylinders from Agra, which is causing them considerable expense and takes a long time to come;

(b) whether it is a fact that the Agra Agent of I.O.C. does not allow this facility to the Armed Forces personnel and other Central Government servants posted to Mathura on transfer if so, the reasons for this discrimination; and

(c) whether he will issue instructions to the IOC agent at Agra to allow the Central Government officers posted to Mathura on transfer to get LPG supply from that place till such time as the Mathura agency starts working; if not, the reasons therefor?

THE MINISTER OF PETROLEUM, CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI): (a) No gas connections are released for customers at Mathura from the Indane gas distributors at Agra. However, it is likely that some of the customers after taking a connection at Agra might have moved the same without the distributors' knowledge to Mathura at their own risk and cost.

(b). Yes, Sir. This is because the Agra distributors are not authorised to enrol customers at Mathura irrespective of their categories.

(c). Releasing connections outside the marketing area, where the distributor is not in a position to connect the full cylinders and disconnect the empty ones from the customers premises, will not be in accordance with the existing policy.

Advertising Charges of the Chargesheet of Workmen by B.C.C.L.

4251. SHRI PIUS TIRKEY: Will the Minister of ENERGY be pleased to state;

(a) the amount spent by the Bharat Coking Coal Ltd. in advertising the chargesheet against the workmen between 1-1-81 and 1-9-81 in different papers, dailies and weeklies, etc. with month-wise break-up in details;

(b) names of the different papers with the amount paid to them for advertisement of the chargesheet in the same period, facts in details;

(c) whether it is a fact that in most of the cases such expenditure in advertising chargesheet was unnecessary, and

(d) whether Government propose making a probe into the matter?

THE MINISTER OF STATE IN THE MINISTRY OF ENERGY: (SHRI VIKRAM MAHAJAN). (a) to (d). The information is being collected and will be laid on the Table of the House.

Recruitment and Conditions of Service Rules for Delhi Subordinate Courts Employees

4252. SHRI MANOHAR LAL SAINI:
SHRI VIRBHADRA SINGH:
SHRI AJIT KUMAR MEHTA:
SHRI K. LAKKAPPA:
SHRI H. N. NANJE GOWDA:
SHRI CHANDRADEV PRASAD VERMA:
SHRI D. M. PUTTE GOWDA:

Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether it is true that there are no recruitment rules governing the service conditions of Delhi Subordinate Courts employees since 1935;

(b) whether it is also a fact that the Delhi Courts employees have been deprived of the benefit of selection grade due to non-existence of the said recruitment rules; and

(c) the time by which the above recruitment rules expected to be finalised and the Delhi Subordinate Courts employees will be given selection grade?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI P. SHIV SHANKAR: (a) to (c). As intimated by the Registry of the High Court, it is not correct that there are no recruitment rules governing the service conditions of Delhi Subordinate Courts employees since 1935. The employees of the Subordinate Courts in Delhi are at present governed by the rules contained in Chapter 18-A of Volume-I of Rules and Orders of the Punjab High Court as made applicable to them by virtue of Section 7 of the Delhi High Court Act, 1966. However, a fresh set of rules has been proposed by the Delhi High Court who have sent a draft of the same. However, independently of the finalisation of these draft rules, a proposal of the Delhi High Court/Delhi Administration for the creation of Selection Grade posts in Group 'C'.

and Group 'D' Cadres in Subordinate Courts in Delhi is being considered by Government.

बिजली बिलों के अन्तर्गत राधेपुर प्रखण्ड का विद्युतीकरण

4253. श्री राम विलास शास्त्री: क्या उर्जा मंत्री यह बताने की कृपा करेंगे कि:

(क) क्या बिहार के वैशाली जिले का राधेपुर प्रखण्ड गंगा नदी के क्षेत्र में आता है;

(ख) क्या उक्त प्रखण्ड में अब तक बिजली नहीं लगाई गई है;

(ग) क्या उक्त प्रखण्ड के गांवों और मकानों में केन्द्रीय योजना के अन्तर्गत बिजली लगाई जाएगी;

(घ) यदि हां, तो कब तक और यदि नहीं, तो इसके क्या कारण हैं; और

(ङ) यदि उक्त (क) भाग का उत्तर स्वीकारात्मक हां तो उक्त प्रखण्ड में कुल कितने गांव हैं और उनमें से कितने गांवों में अब तक बिजली लगाई गई है?

उर्जा मंत्रालय से राज्य मंत्री (श्री विक्रम महाजन): (क) जी, हां ।

(ख) से (ङ). राधेपुर ब्लॉक में 41 गांव हैं । 41 गांवों में से अब तक विद्युतीकृत हुए गांवों की संख्या के बारे में सूचना तत्काल ही उपलब्ध नहीं है । ग्राम विद्युतीकरण निगम ने बिहार में वैशाली जिले के विभिन्न ब्लॉकों में 481 गांवों के विद्युतीकरण के लिए 2.67 करोड़ रुपये की ऋण सहायता की 10 ग्राम विद्युतीकरण स्कीमों स्वीकृत की हैं । इन स्कीमों में से एक स्कीम में 82 गांव आते हैं, जिसमें राधेपुर, दंसरी, लालगंज, राधेपुर, महाराज और गोराल ब्लॉकों के 18 और विद्युतीकृत गांव तथा 64 विद्युतीकृत गांव आते हैं । उपर्युक्त स्कीम के अन्तर्गत राधेपुर ब्लॉक में एक गांव विद्युतीकृत किए जाने का तथा 30 पम्पसेटों का उद्घाटन किए जाने का प्रस्ताव है । स्कीमों राज्य बिजली

बोर्डों द्वारा तैयार की जाती हैं और उन्हीं के द्वारा कार्यान्वित की जाती हैं । राधेपुर ब्लॉक को शामिल करने के लिए ग्राम विद्युतीकरण स्कीमों जैसे ही बिहार राज्य बिजली बोर्ड द्वारा तैयार की जाएंगी और प्रस्तुत की जाएंगी, ग्राम विद्युतीकरण निगम उनके लिए वित्तीय सहायता स्वीकृत करने पर विचार करेगा ।

Representation against National Projects Construction Corporation

4254. SHRI BHOGENDRA JHA:

SHRI RAMAVTAR SHASTRI:

Will the Minister of ENERGY be pleased to state:

(a) whether the Prime Minister had been addressed any representation dated 20th July, 1981 by the All India National Projects Construction Corporation Limited Employees' Federation.

(b) if so, details thereabout and the action taken thereon;

(c) whether the representation contained some very grave charges or corruption etc. against some top officials of the NPCC; and

(d) if so, whether these have been investigated by the CBI; if so, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF ENERGY (SHRI VIKRAM MAHAJAN): (a) to (d). A representation dated 20th July 1981 has been received from the All India National Projects Construction Corporation Ltd. Employees Federation. In this representation, certain allegations have been made against certain officials. The matters raised in the representation are being attended to.

Service Conditions of Staff Artists

4255. SHRI DIGAMBER SINGH: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) what steps Government have taken to improve the service condition of Staff Artistes for last two years;

(b) whether experts like producers and musicians are being appointed as Head of Office; and

(c) if not, what are the reasons?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI VASANT SATHE): (a) The Staff Artistes in AIR are at present contract employees and enjoy almost the same benefits as regular govt. servants. The case regarding their conversion as regular govt. servants and make them eligible *inter-alia* for pensionary benefits and also providing increased promotional avenues to the category of Producers through the creation of additional posts of Senior Producers are under active process. In addition, an inter-departmental Cadre Review Committee has also been set up to examine the present anomalies, stagnation, if any, scope for fee rationalisation, etc. This Committee has already held several meetings giving opportunities also to the representatives of the Staff Artists in all the grades to explain their demands in person.

(b) and (c). The Producers and Musicians are contract employees. While Producers are primarily engaged for planning and production of programmes, the musicians are by and large performing artists. Being contract employees, they are not appointed as 'Heads of Office'.

ग्राम स्यालना पट्टी डबरासूई पो. ओ.
देवलीखेत, जिला पौड़ी गढ़वाल में
ब्रांच पोस्ट आफिस का खोलना

4256. श्री नन्द किशोर शर्मा : क्या संचार मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि 1979 में ग्राम स्यालना पट्टी डबरासूई पो. ओ. देवलीखेत, जिला पौड़ी गढ़वाल में ब्रांच पोस्ट आफिस स्वीकृत हुआ है;

(ख) यदि हां, तो इस सूदूर क्षेत्र के लोगों की कठिनाईयों का ध्यान में रखा जाए डाक तार विभाग द्वारा का गये उपेक्षा का क्या कारण है; और

(ग) वहां पर कब तक पोस्ट आफिस खुलेगा ?

संचार मंत्रालय में राज्य मंत्री (श्री कर्तिक उरांव): (क) जी नहीं। यह सत्य नहीं है कि वर्ष 1979 में स्यालना गांव के लिए एक शाखा डाकघर मंजूर किया गया था। इस गांव हेतु डाकघर की मंजूरी 10-9-80 को दे दी गई थी।

(ख) वर्ष 1980-81 के दौरान डाकघर नहीं खोल जा सका क्योंकि उच्च प्राथमिकता के अन्य स्वीकृत प्रस्ताव भी थे जिन्हें उक्त वर्ष के लिए निर्धारित लक्षों के अंतर्गत रखा जाना था।

(ग) चालू वित्तीय वर्ष, 1981-82 के दौरान उक्त गांव में डाकघर के खोलने का संभावना है।

Drilling at Barmura in Tripura

4257. SHRI AJOY BISWAS: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether he is aware that a section of the ONGC authorities have again started dilly-dallying on the completion of the target depth of 5000 mt. at four wells at Barmura in Tripura and they have also stopped the work of drilling under various pretext;

(b) whether he is also aware that when these things are going on at Barmura a team of ONGC with the help of USSR are successfully drilling the target depth of 5000 mt. and already achieved a vast gas zone at Rukhia;

(c) if so, whether Government are considering to conduct a CBI enquiry about the repeated failure of ONGC on the question of not drilling the targetted depth; and

(d) if not, the reasons therefor?

THE MINISTER OF PETROLEUM CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI): (a) The ONGC has so far completed drilling of five wells on the Baramura structure in Tripura. None of these wells was projected to 5,000 metres. The wells could not be drilled to the projected depths due to down hole complications and difficult drilling conditions and not because of any deliberate attempt on the part of the ONGC to stop drilling operations before reaching the projected depths

(b) Due to drilling problems encountered in almost all the wells in Tripura, it was decided to take the help of foreign expertise for some selected drilling areas. Accordingly, the well on the Rakhia structure in Tripura is being drilled by a Joint Soviet-Indian team. The projected depth of this well is 5,000 mts. Unless the well has been completed and detained production tests carried out, it is not possible to say anything at this juncture about the prospects of finding hydrocarbons in the well.

(c) and (d). Do not arise

Industries suffering from power shortage in Manipur

4258. **SHRI NGANGOM MOHENDRA:** Will the Minister of ENERGY be pleased to state:

(a) whether Government are aware that in Manipur small and medium scale industries are suffering and production etc. is hampered on account of huge shortfall in production of electricity;

(b) if so, the details;

(c) the reasons for the shortage in production of electricity; and

(d) steps being taken to improve the situation?

THE MINISTER OF STATE IN THE MINISTRY OF ENERGY (SHRI

VIKRAM MAHAJAN : (a) to (c). The present energy requirement of Manipur is 3.6 MU per month against which the availability is 3.55 MU per month. The energy shortage in the State is very negligible. There are no notified power cuts/restrictions in Manipur and shortages whenever they occur due to lower output from diesel generators or short supply from Assam/Meghalaya systems, are met by switching off the feeders.

(d) Assam has agreed to supply to Manipur additional power from Non-gaingan thermal power station and the mobile gas turbines which have been commissioned recently. Manipur will be able to draw about 5 MW additional power when the 132 KV Dimarpur-Imphal line over which power transfer is taking place since 12 June, 1981 gets stabilised and the Imphal sub-station is commissioned. With this arrangement, Manipur will be able to meet its full requirements. Further with the completion of Loktak project in 1982, Manipur will become surplus in power.

Amount paid by Government/PUs for advertisements released to National Herald

4259. **SHRI R. L. P. VERMA:** Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) the total amount paid by the Central Government and Public Undertakings for the advertisement released to National Herald group of newspapers in general and National Herald of Delhi and Lucknow in particular in the year 1980 and 1981;

(b) whether Government have shown special consideration to this newspaper; and

(c) if so, the reasons thereof?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI VASANT SATHE): (a) to (c). The details of the advertisements released to individual newspapers and the amount paid to them are treated as confidential between the Directorate of Advertising and Visual Publicity and the individual publisher.

क्षेत्रों में अधिक और अन्य कारखानों में उर्जा को बचत

4260. श्री राम प्यार पनिका : क्या पेट्रोलियम, रसायन और उर्वरक मंत्री यह बताने को कृपा करेंगे कि :

(क) क्या यह सच है कि सरकार ने तेल क्षेत्रों में अधिक और अन्य उर्वरक कारखानों में उर्जा बचत का निर्णय लिया है;

(ख) यदि हाँ, तो सरकार का किस प्रकार उर्जा बचत का विचार है; और

(ग) यदि नहीं, तो उसके क्या कारण हैं ?

पेट्रोलियम, रसायन और उर्वरक मंत्री (श्री प्रकाश चन्द्र सेठी): (क) जी, हाँ ।

(ख) कुछ शोधन शालाओं की भट्टियों की ताप कुशलता बढ़ाने के अतिरिक्त, प्रत्येक तेल शोधशाला को, समस्याओं का अध्ययन करने के लिए और उन क्षेत्रों का चला नगाने के लिए जहाँ इस संबंध में सुधार लाए जा सकते हैं, अध्ययन दलों की स्थापना करने के निर्देश दिये गए हैं ।

अन्य उद्योगों में पुराने तथा अकुशल बायलरों के स्थान पर अधिक कुशल बायलरों की प्रतिस्थापना के लिए एक योजना प्रारंभ की गई है । भट्टी के तेल के प्रयोग के स्थान पर कोयले का प्रयोग, जहाँ यह प्रायोगिकीय रूप से संभव हो, करने के लिए, इन उद्योगों को परामर्श तथा सहायता भी प्रदान की जा रही है ।

(ग) प्रश्न नहीं उठता ।

Sanction of L.P.G. Connections Recommended by Members of Parliament

4261. SHRI RAJESH KUMAR SINGH: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether any criteria have been laid down by him in regard to the sanction of L.P.G. connections recommended by a Member of Parliament;

(b) how many Gas connections have been sanctioned on the recommendations of M.Ps. (since 1st January 1980); and

(c) whether Government propose to clear all the applicants whose LPG cases have been recommended by Members of Parliament during the year of 1980 and 1981; and if not, the reasons thereof?

THE MINISTER OF PETROLEUM, CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI): (a) and (b). A few connections are released on priority by the oil companies to certain categories of applicants like the diplomats, handicapped persons and also on compassionate grounds. The applications recommended by the Members of Parliament along with other applications for cooking gas connections are examined on merits under these provisions and requests have been agreed to in some cases. The information regarding the total number of applications for L.P.G. connections released on such requests is not readily available.

(c) In such of the cases as have not been considered, the applicants who have registered their names with the LPG distributors will be getting cooking gas connections as per their turn in the waiting lists.

Improvement claimed in coal production

4262. SHRI M. V. CHANDRASHEKARA MURTHY: Will the Minister of ENERGY be pleased to state:

(a) whether Energy Ministry and Coal India Limited have claimed that coal production has marginally improved during the three months March to May, 1981 and the production in March this year touched 12.89 million tonnes;

(b) is it also a fact that the average production figure from April to May, 1981 has been 9 million tonnes which is rather steep decline;

(c) whether in June there was a further decline; and

(d) if so, what were the main reasons for this and what steps have been ini-

dated by Government to improve the production?

THE MINISTER OF STATE IN THE MINISTRY OF ENERGY (SHRI VIKRAM MAHAJAN): (a) Coal production in the country during the months March—May '81 was 31.21 million tonnes which is higher than the production in the same period of last year by 9.4 per cent. In March '81 coal production was 12.89 million tonnes.

(b) The average monthly production in April-May '81 was 9.16 million tonnes.

(c) No, Sir. The production in June '81 was 9.17 m.t. which showed an increase of 0.03 m.t. over May '81 production of 9.14 m.t.

(d) The period October—March is traditionally a good period for coal production and during this period maximum coal production is invariably achieved. From April onwards till September the production normally is comparatively less. Steps taken to improve coal production include controlling absenteeism in Eastern Coalfields Ltd., improving the delivery schedule of equipment to the mines, better utilisation of equipment, improving power supply to the mines, improving further law and order situation in the coal belt and expediting land acquisition proceedings to acquire the land needed for the development of the mines.

Victimisation of Employees by Coal Mines Authorities Limited

4263. SHRI KRISHNA CHANDRA HALDER: Will the Minister of ENERGY be pleased to state:

(a) whether he is aware that the authorities of the CMA Limited (Coal Mines Authorities Ltd.) resorted to repression and victimisation of its employees of Calcutta Unit for observance of token strike on 11th March, 1981; and

(b) if so, what steps have been taken to stop such victimisation?

THE MINISTER OF STATE IN THE MINISTRY OF ENERGY (SHRI VIKRAM MAHAJAN): (a) and (b). No, Sir. However, on the basis of the written complaints received from different sections of employees, who were willing to attend office, show cause notices were issued to Shri Chanchal Ghoshal, Sr. Clerk, CIL, who also happens to be the General Secretary of the CMAL Union and Shri Nitish Ranjan Sengupta, Sr. Draftsman for alleged obstruction intimidation and assaults on them. Replies to the show cause notices have been received from them. A final decision will be taken after taking into consideration of the replies received from them.

General Post Office of Jodhpur

4264. SHRI ASHOK GEHLOT: Will the Minister of COMMUNICATIONS be pleased to state:

(a) whether attention of the Government has been drawn to the news item under the caption "Jodhpur Ka Mukh Dakghar" (General Post Office of Jodhpur), published in daily 'Pratinidhi', dated 16th May, 1981;

(b) if so, whether Government have conducted any enquiry about the functioning of the said General Post Office;

(c) if so, the details thereof;

(d) if not, whether Government propose to conduct an enquiry into the corruption and irregularities in the functioning of the above General Post Office; and

(e) if so, when, and if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF COMMUNICATIONS (SHRI KARTIK ORAON): (a) A news item had appeared in the said daily on 20-5-1981 (and not on 16-5-81) about functioning of Jodhpur Head Post Office.

(b) Yes, Sir.

(c) to (e). The news item was about non-availability of embossed envelopes, behaviour of staff and long queues at the counter. Enquiry revealed that embossed envelopes were not available for a few days during April and May due to non-receipt of supply from the Indian Security Press, Nasik. Arrangement was made to purchase blank covers from market and to sell them after affixing postage stamps. Steps have been taken to tighten supervision and to ensure that public is attended to promptly and properly. No corruption was alleged in the news item.

Installed Capacity of Drug Industry

4265. SHRI SAMAR MUKHERJEE: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) the percentage of population benefited by the current production of drugs;

(b) what is the installed capacity of drugs industry in the country;

(c) whether Government are aware that while the country is reeling under an acute scarcity of essential and life saving drugs and high prices, the installed capacity in the drug industry is under-utilized or kept idle as also scores of licences and letters of intent given to the manufacturers remain unimplemented thus creating an artificial scarcity of essential and life saving drugs; and

(d) if so, what steps have been taken in this matter?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM, CHEMICALS AND FERTILIZERS (SHRI DALBIR SINGH): (a) No such survey has been done by this Ministry. However, on the basis of the total value of production of drugs and the total population during 1980-81, per capita consumption of drugs per annum would come to about Rs. 18.

(b) No estimate is available. There are 119 drug manufacturing units in the organised sector and about 3,000 units in the small scale sector. 62 organised sector units have applied for recognition of excess installed capacities as on 4-9-1980.

(c) and (d). The availability of essential and life saving drugs is monitored on a weekly basis and wherever shortages of certain brands of products are reported, instructions for the same/ equivalent products to rush the supplies are issued. Prices of the drugs are regulated under the Drug Prices Control Order 1979.

As regards the implementation of the industrial licences and letters of intent, a close watch is kept on their progress by this department. Wherever it is found desirable, necessary action to cancel/revoke such licences is taken by the Government. The decision to recognise installed capacity as on 4-9-1980 is an effort to utilise idle capacities, and increase supply.

Performance of IDPL, Rishikesh

4266. SHRI TARIQ ANWAR: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether it is a fact that there is no sign of improvement in the IDPL's performance despite transfer of sophisticated technology from Italy;

(b) whether it is also a fact that the rate of capacity utilisation of Rishikesh Plant after the transfer of latest technology is around 30 per cent while it has been possible to attain 85 to 90 per cent capacity utilisation with the Soviet plant; and

(c) what steps Government propose to take to improve the performance of this public sector enterprise?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM, CHEMICALS AND FERTILIZERS

(SHRI DALBIR SINGH): (a) and (b). The Rishikesh plant of Indian Drugs & Pharmaceuticals Limited (IDPL) is in the process of expansion and full expanded capacity was not available for the major part of 1980-81. The drug-wise capacity utilisation as furnished by IDPL for 1980-81 is given in statement attached. The overall capacity utilisation in 1977-78 before the expansion started was 67.6 per cent.

(c) Apart from the introduction of latest technology and strains for production of some antibiotics, Govern-

ment have taken up the regular supply of power and water with the State Governments. The company has already taken various steps to bring the excess inventories within the limits by removing constraints and boosting marketing. Continuous research efforts are being made by IDPL to improve the existing technology of drugs and bring down the consumption co-efficient by improving the efficiency. The production and other problems are constantly reviewed by Government and appropriate steps are taken from time to time.

Statement

**Installed capacity utilisation of IDPL—Rishikesh during 1980-81*

Sl. No.	Name of Finished Drug/Intermediate	Unit	Installed capacity		Prodn. 80-81	% age capacity utilisation		At full rate capacity
			Old	Expanded in 4th Quarter		Old	Achieved in 4th Quarter	
1.	Sod. Penicillin	. . . . . MMU	53	53	53.0	72	72	72
2.	Proc. Penicillin	. . . . . "	52	52	22.8	44	44	44
3.	Streptomycin Sulphate	. . . . . Tons. (Base)	85	85	34.3	40	40	40
4.	Oxitetraacycline HOL	. . . . . Tons	56	56	68.3	122	122	122
5.	Tetraacycline HGL	. . . . . "	106	130	91.3	86	70	45
6.	Erythromycine	. . . . . "	..	9	3.6	..	40	10
7.	Semi-synthetic Penicillins	. . . . . "	..	8.75	35	..	68.6	17
8.	Pot. Penicillin	. . . . . MMU*	130	155	69.3	53	45	30

*Intermediate used for Sod., Proc. and SSP Production only.

Cases re Economic measures pending in Supreme Court

4267. SHRI RASA BEHARI BEHERA: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) how many cases relating to economic measures of Government of India are pending in the Supreme Court; and

(b) how long such cases have been pending (in details)?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI P. SHIV SHANKAR): (a) and (b). The Registry of the Supreme Court has intimated that it is not the practice of that Registry to maintain the Registers showing the subject matter of the cases. Information is being collected from the Ministry of Finance, and the same will be laid on the Table of the House when received.

“पुनर्वास पर 1500 करोड़ रुपये,
फिर भी वे विस्थापित” शीर्षक
के अंतर्गत समाचार

4268. श्री मूलचन्द डागा : क्या पूर्ति और पुनर्वास मंत्री यह बताने की कृपा करेंगे कि उनके मंत्रालय का ध्यान 16-22 अगस्त, 1981 के साप्ताहिक दिनमान (हिन्दी) के पृष्ठ 18 पर “पुनर्वास पर 1500 करोड़ रुपये, फिर भी वे विस्थापित” शीर्षक के अन्तर्गत प्रकाशित समाचार की ओर दिलाया गया है; यदि हाँ, तो उनके मंत्रालय की उस पर प्रतिक्रिया क्या है, और इस प्रतिवेदन में वह कौन से तथ्य हैं जो सही नहीं हैं ?

पूर्ति और पुनर्वास मंत्रालय में उपमंत्री (श्री पी. के. शंभन) : जी, हाँ ।

लगभग 1.08 करोड़ शरणार्थियों/प्रत्यावासियों, भूतपूर्व पूर्वी पाकिस्तान (अब बंगलादेश) से आए 52.31 लाख भूतपूर्व पश्चिमी पाकिस्तान (अब पाकिस्तान) से आए 47.93 लाख, बर्मा से आए, 2.08 लाख, श्रीलंका से आए

3.66 लाख, पाकिस्तान अधिकृत काश्मीर से आए 1.35 लाख, मोबाइल, उगान्डा, वियतनाम तथा जैरे से आए 10,637 व्यक्तियों और 64,562 तिब्बती शरणार्थी अब तक आए हैं, इन में से 88 लाख व्यक्ति बसाए जा चुके हैं । 31-3-1981 तक इन व्यक्तियों के राहत और पुनर्वास पर लगभग 1463.50 करोड़ रुपये (जिसमें बंगलादेश के शरणार्थियों पर 291.11 करोड़ रुपये शामिल हैं) व्यय किए गए हैं । अतः यह निष्कर्ष निकालना सही नहीं है कि 1500 करोड़ रुपये के व्यय के बाद भी शरणार्थी/प्रत्यावासी विस्थापित हैं ।

Employees of Telephone Exchanges in M.P. Penalised by applying 'Break-in Service' Rules

4269. DR. VASANT KUMAR PANDIT: Will the Minister of COMMUNICATIONS be pleased to state:

(a) whether it is a fact that over 150 employees of Telephone Exchanges in M.P. were penalised for their rightful strike by applying 'Break-in-Service';

(b) whether this action of G.M., Telecommunications, M.P. has affected seniority promotions and prospects of the Telephone Exchange Employees;

(c) whether Government had assured that this action will not come in the way of repatriation in promotions and seniority; and

(d) if so, has the G.M. Telecommunications, M.P. reviewed cases of victimisation if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF COMMUNICATIONS (SHRI KARTIK ORAON): (a) Yes. Break in service was ordered in the case of 176 employees of the Bhopal Telegraph Division who had proceeded on unauthorised and illegal strike in August, 1980.

(b) Proceeding on unauthorised strike is a grave misconduct and the break-in-service ordered in this case

was fully justified. Seniority and promotion prospects of the employees who had participated in the illegal strike will be affected to the extent provided in the Rules.

(c) No assurance whatsoever of any kind was given by either the General Manager or the Department.

(d) The matter was reviewed by Government and it was decided that the employees having resorted to unauthorised and illegal strike, break-in-service was the minimum that could be ordered in the circumstances. There was no victimisation.

Swiss Company's Bungling Delays DVC's Panchet Hill Hydel Power Station

4270. SHRI M. NAGESWARA RAO:
Will the Minister of ENERGY be pleased to state:

(a) whether it is a fact that bungling by a Swiss company in delaying work on the second unit of the D.V.C.'s Panchet Hill Hydel Power Station;

(b) whether it is also a fact that when global tenders were floated for the supply of turbine for the hydel station no bid was found suitable; and

(c) if so, the considerations for the award of the contract for the supply of turbine to the Swiss firm?

THE MINISTER OF STATE IN THE MINISTRY OF ENERGY (SHRI VIKRAM MAHAJAN): (a) No, Sir.

(b) and (c). In response to the tender inquiry floated by the Damodar Valley Corporation in June, 1978 only one offer from M/s. Voest Alpine (Austria) was received. Pump type turbine unit is a very specialised type of equipment. After protracted negotiations, order was placed with the Austrian firm in December, 1979 subject to successful completion of model testing. Damodar Valley Corporation have appointed M/s. Harza Engineering Company International, USA, as consult-

ants, who will also witness the testing. The first model test was not successful. The second model test has been completed. Details are awaited.

Vacant Post of Hindi Officer

4271. SHRI JITENDRA PRASAD:
Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) whether the Publications Division had recently circulated a post of Hindi Officer with a qualification of B.A. and five years' experience as Senior Translator;

(b) if so, whether the above Department had violated the rules and regulations governing this post in that the minimum qualification for this post is M.A. according to the rules of the Department of Official Languages;

(c) if so, how many Departments of the Ministry violated the rules governing the above post, prescribed by the Department of Official Languages and why; and

(d) whether any selection has been made in the Publications Division on the basis of applications received for this post; if not, whether any candidate has since been appointed to the above post ignoring the established rules and if so, the reasons therefor?

THE DEPUTY MINISTER IN THE MINISTRY OF INFORMATION AND BROADCASTING (KUMARI KUMUD-BEN M. JOSHI): (a) Yes, Sir.

(b) to (d). The Department of Official Languages have suggested M.A. as the educational qualification in case of direct recruitment in the context of the formation of the proposed Central Secretariat Official Language Service.

The Rules framed by the Ministry of Information and Broadcasting, have *inter-alia* the following provision:—

Bachelor's degree with Hindi as one of the subjects, and about 5 years' ex-

perience of terminological work in Hindi and/or translation work from English to Hindi and *vice versa* for posts to be filled by selection from officers looking after the work of Hindi in various Ministries/Offices failing which by direct recruitment. For direct recruitment qualifications prescribed is a Masters Degree.

The post of Publications Division has been circulated accordingly. It may, however, be mentioned that no recruitment rules have as yet been finalised in Publications Division. A candidate has been promoted on an *ad-hoc* basis pending finalisation of the Recruitment Rules.

Block capital of Tata Chemicals

4272. SHRI NIREN GHOSH: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state what amount has been spent by Tata Chemicals Limited on account of gross block capital in the last seven years?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI P. SHIV SHANKAR): M/s. Tata Chemicals Limited spent an amount of Rs. 51.06 crores on account of additions made to its fixed assets and capital works in progress i.e. on additions to its Gross Block during the last 7 years (from the year ending 30th June, 1974 to year ending 30th June, 1980). The year-wise break-up of this amount is given as under:—

Year ending 30th June	Amount spent on Gross Block
(1)	(2)
	(Rs. crores)
1974	4.64
1975	7.01

(1)	(2)
1976	6.83
1977	10.78
1978	5.85
1979	6.65
1980	9.30
TOTAL	51.06

Proposal for Bartering Bombay High crude

4273. SHRI D. P. YADAV: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether Government propose to barter the Bombay High crude for swoopping with West Asian crude;

(b) if so, the terms and conditions thereof; and

(c) whether his Ministry has invited international bids for swoopping, if so, the response thereto?

THE MINISTER OF PETROLEUM, CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI): (a) Yes, Sir.

(b) The terms and conditions of the exchange have not yet been finalised.

(c) A tender enquiry has been floated on 14-8-1981 by IOC to selected international oil cos. for exchange of approximately 20/30000 bbl/ day for one year commencing from October, 1981, of Bombay High crude oil for Arab light crude oil ex-Arabian ports. The last date for receipt of bids has been fixed as 3-9-1981 and offers are required to be kept valid for acceptance upto 2200 hrs. IST on 15-9-1981. It would not be in public interest to disclose further details in this regard.

Agitation threat by General Secretary of "Telephone Upbhokta Parishad" in Western U.P.

4274. SHRI P. J. KURIEN: Will the Minister of COMMUNICATIONS be pleased to state:

(a) whether Government are aware of the threat of agitation against irregularities, inefficiency and corruption in the Telephone Department by the General Secretary of "Telephone Upbhokta Parishad" in Western U.P., and

(b) if so, the steps taken by the authorities to redress the grievances of the consumers?

THE MINISTER OF STATE IN THE MINISTRY OF COMMUNICATIONS (SHRI KARTIK ORAON):

(a) No intimation of threat of agitation from General Secretary of Telephone Upbhokta Parishad has been received. However, such a news item appeared in Times of India dated 14-8-1981.

(b) The performance of Meerut telephone system is generally satisfactory. However to further improve the performance, the following steps are being taken;

(A) Internal Equipment :

- (i) Maintenance routines have been stepped up;
- (ii) The worn out parts are being continuously replaced and switches of automatic telephone exchange are being regularly overhauled;
- (iii) An exclusive Assistant Engineer posted for maintenance of internal equipment for better supervision.

(B) External Plant:

- (i) Some of the overhead alignments are being replaced by underground cable.
- (ii) Where, Aluminium wires are in use for house wiring, these are being replaced progressively.
- (iii) Defects noticed in the fittings are being progressively repaired.
- (iv) The distribution points are being rewired wherever found necessary

(C) Expansion Schemes :

- (i) A new 4000 lines automatic telephone exchange is expected to be commissioned during 1984-85.
- (ii) Expansion of the existing 600 lines Partapur exchange to 900 lines is expected to be completed by the end of September, 1982.

Reviewing repatriation programme of Sri Lanka Repatriates

4275. SHRI M. RAM GOPAL REDDY: Will the Minister of SUPPLY AND REHABILITATION be pleased to state:

(a) whether the Centre for Research on New International Economic Order, Madras, has urged the Central Government to review the repatriation programme of Sri Lanka repatriates in relation to the social, educational, cultural and economic conditions of repatriates; and

(b) if so, the reactions of Government on it?

THE DEPUTY MINISTER IN THE MINISTRY OF SUPPLY AND REHABILITATION (SHRI P. K. THUNGON): (a) and (b). A report on the survey of repatriates from Sri Lanka (1980) compiled by the 'Centre for Research on New International Economic Order', Madras has recently been received in this Department. There is no recommendation in the report to

review repatriation programme in the manner stated. However, there is a recommendation relating to rehabilitation of repatriates from Sri Lanka which reads as under:

"It is recommended that the whole question of rehabilitation, the process, areas and methods must be thoroughly reviewed in relation to the social, cultural, educational and economic condition of the repatriates."

Rehabilitation programme is already following these principles. Efforts are made to secure employment for the repatriates who are educationally well qualified. Similarly, rehabilitation assistance is granted to the needy families whose total value of liquid assets does not exceed Rs. 10,000/-. As regards settlement in social and cultural environments of their liking, bulk of the repatriates mostly of Tamil origin are already in Tamil Nadu. However, having regard to the magnitude of the problem, it is not possible for the Government of Tamil Nadu alone to bear the entire burden and, therefore, diversion of repatriates to schemes in other Southern State is inescapable.

Amount sanctioned to States for rural electrification during 1980-81

4276. DR. KRUPASINDHU BHOI: Will the Minister of ENERGY be pleased to state:

(a) what is the total amount sanctioned to each State for rural electrification during the year 1980-81;

(b) whether all the States were able to utilise the full amount so sanctioned; and

(c) the names of the States which were unable to utilise the full amount and what are the reasons attributed to such non-utilisation?

THE MINISTER OF STATE IN THE MINISTRY OF ENERGY (SHRI VIKRAM MAHAJAN): (a) Source-wise break-up of the allocation made for each State and Union Territory for rural electrification works during the year 1980-81 are furnished in the Statement enclosed.

(b) and (c) Details of the expenditure incurred on rural electrification during the year 1980-81 are yet to be received from the State Electricity Boards. It is, however, noticed that the level of achievement vis-a-vis targets fixed for village electrification and energisation of pumpsets has been approx. 86 per cent and 88 per cent respectively during 1980-81.

Statement

Annual Plan 1980-81

Approved Allocations for Rural Electrification

(Rs. in Lakhs)

Sl. No.	States/U.Ts.	NDP	REC	RMNP	TOTAL
(1)	(2)	(3)	(4)	(5)	(6)
1	Andhra Pradesh	1038.00	12.00	150.00	1700.00
2	Assam	100.00	293.00	862.00	755.00
3	Bihar	200.00	725.00	600.00	1525.00
4	Gujarat	582.00	468.00	50.00	1100.00
5	Haryana	800.00	232.00	..	1032.00

(1)	(2)	(3)	(4)	(5)	(6)
6	Himachal Pradesh	80.00	308.00	60.00	448.00
7	Jammu & Kashmir	100.00	363.00	..	463.00
8	Karnataka	607.00	300.00	50.00	957.00
9	Kerala	100.00	143.00	..	243.00
10	Madhya Pradesh	600.00	1174.00	900.00	2674.00
11	Maharashtra	2030.00	641.00	..	2671.00
12	Manipur	8.00	12.00	100.00	120.00
13	Meghalaya . . . . .	..	179.00	150.00	329.00
14	Nagaland	70.00	25.00	5.00	100.00
15	Orissa	330.00	380.00	250.00	960.00
16	Punjab	790.00	517.00	..	1307.00
17	Rajasthan	500.00	732.00	400.00	1632.00
18	Sikkim . . . . .	..	..	25.00	25.00
19	Tamil Nadu	1350.00	303.00	..	1653.00
20	Tripura . . . . .	..	60.00	130.00	190.00
21	Uttar Pradesh	1090.00	1054.00	1056.00	3200.00
22	West Bengal	50.00	1034.00	235.00	1319.00
TOTAL (STATES)		10,425.00	9,455.00	4,523.00	24,403.00
1	A. & N. Island	4.00	..	14.00	18.00
2	Arunachal Pradesh . . . . .	..	..	150.00	150.00
3	Chandigarh . . . . .	..	..	..	..
4	D. & N. Haveli	20.00	..	..	20.00
5	Delhi	150.00	..	..	150.00
6	Goa, Daman & Diu	6.00	..	..	6.00
7	Lakshadweep . . . . .	..	..	..	..
8	Mizoram	50.00	..	50.00	100.00
9	Pondicherry	25.00	..	..	25.00
TOTAL (U.T's)		255.00	..	214.00	469.00
TOTAL (ALL-INDIA)		10,680.00	9,455.00	4,737.00	24,872.00
Lump sum allocation to REC for:					
(a)	Special Project Agriculture (SPA) . . . . .	..	3000.00	..	3000.00(*)
(b)	Rural Cooperatives . . . . .	..	500.00	..	500.00
(c)	Harijan Bastis . . . . .	..	150.00	..	150.00
Sub-Total (REC) . . . . .		..	3650.00	..	3650.00
GRAND TOTAL		10,680.00	13,105.00	4,737.00 (i.e. Rs. 285.22 Crs)	28,522.00

(*) This will be supplemented from ARDC/Commercial Banks to the extent of Rs. 6,000.00 lakhs.

Decline in the introduction of new drugs

4277. SHRI RATANSINH RAJDA: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether it is a fact that drug consumption in the World has risen by 9 per cent during the last year as compared to the previous year;

(b) whether it is also a fact that introduction of new drugs in the country has declined considerably during the recent period; and

(c) if so, reasons thereof and what steps, if any, Government propose to take to ensure flow of new drugs in the country?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM, CHEMICALS AND FERTILIZERS (SHRI DALBIR SINGH): (a) No data is readily available on this point.

(b) During the last four years Drug Controller (India) approved a number of new drugs for being introduced in this country as given below:—

No. of new
drugs approved.

1977-78	11
1978-79	19
1979-80	14
1980-81	13

Except for the year 1978-79 the number of new drugs approved each year has remained practically constant.

(c) Does not arise.

Additional quota of Kerosene to Kerala for Motorisation of country boats

4278. SHRIMATI SUSEELA GOPALAN: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS

be pleased to state:

(a) whether he has received request from Government of Kerala for additional quota of kerosene to the tune of 500 kilo litres for meeting the requirement of the Kerala Fishermen's Welfare Corporation in connection with their programme of motorisation of country boats; and

(b) if so, what is the reaction of Government thereto?

THE MINISTER OF PETROLEUM, CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI): Yes, Sir.

(b) An ad hoc increase in the allocation by 500 kilo litres per month has already been approved for the months of August and September, 1981.

New Broadcasting Station

4279. SHRI XAVIER ARAKAL: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) does Government propose to instal new Broadcasting stations; if so, details thereof;

(b) has Government discontinued any broadcasting stations; if so, details; and

(c) has Government received any representation from any authority or civil body or association to instal a broadcasting station at Cochin?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI VASANT SATHE): (a) The details of the proposals included in the approved Sixth Plan are given in the enclosed statement.

(b) No, Sir.

(c) Yes Sir. Due to constraints on financial resources, it has, however, not been possible to provide a Radio Station at Cochin in the Sixth Plan.

Statement

Location	Power of the proposed Station	Name of State
A. New Radio Stations		
1. Tura	20 KW MW	Meghalaya
2. Gangtok	20 KW MW	Sikkim
3. Madurai	10 KW MW	Tamil Nadu
4. Agra	10 KW MW	Uttar Pradesh
5. Jamshedpur	1 KW MW	Bihar
6. Itanagar	100 KW MW	Arunachal Pradesh
B. Local Radio Broadcasting service with 1 KW MW transmitter at each centre		
1. Kota		Rajasthan
2. Diphu		Assam
3. Keonjhar		Orissa
4. Sholapur		Maharashtra
5. Adilabad		Andhra Pradesh
6. Nagercoil		Tamil Nadu
C. Dedicated National Broadcasting Service		
1. Nagpur	1000 KW MW	Maharashtra

One Radio set to every Gram Sabha in Sixth Plan

4280. SHRI K. MALLANNA: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) whether there is any proposal under the consideration of Government to extend the facility of at least one Radio Set to every Gram Sabha during the Sixth Five Year Plan;

(b) if so, whether such facility is also likely to be extended to Gram Sabhas in the State of Karnataka; and

(c) if so, the details regarding the scheme of Government in this regard;

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI VASANT SATHE): (a) Government of India have no such scheme.

(b) and (c). Do not arise.

Losses of State Electricity Boards

4281. SHRI ARVIND NETAM: Will the Minister of ENERGY be pleased to state the total loss of each Electricity Board during the last five years?

THE MINISTER OF STATE IN THE MINISTRY OF ENERGY (SHRI VIKRAM MAHAJAN): The State

Electricity Boards of Andhra Pradesh, Bihar, Karnataka, Madhya Pradesh, Maharashtra, Rajasthan and Tamil Nadu have not incurred losses in totality for the 5 years ended on 31st March, 1979 (for which information is available), after taking credit for rural electrification subsidies. The following State Electricity Boards have suffered losses for the 5 years ended on 31st March, 1979 in totality after making provisions for (i) Interest on Government loans; (ii) Depreciation; and (iii) Other revenue deficits, if any:

State Electricity Board	Losses (Rs. crores)
(i) Uttar Pradesh	327
(ii) Haryana	43
(iii) Punjab	41
(iv) Orissa	40
(v) Gujarat	29
(vi) Himachal Pradesh	18
(vii) West Bengal	9
(viii) Kerala	1

Audited accounts for the year 1978-79 from the three remaining Boards of Assam, Meghalaya and J&K have not been received so far.

उत्तर प्रदेश के बांदा जिले में दूरदर्शन केन्द्र की स्थापना

4282. श्री राम नाथ दुबे : क्या सूचना और प्रसारण मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार को उत्तर प्रदेश में बुन्देलखंड क्षेत्र विशेषकर बांदा जिले को दूरदर्शन की परीधि में लाने की कोई योजना है;

(ख) यदि हां, तो उसका व्यौरा क्या है; और

(ग) यदि नहीं, तो उसके क्या कारण हैं;

सूचना और प्रसारण मंत्री (श्री बसन्त साठे) : (क) से (ग). संसाधनों की कमी के कारण बांदा जिले में दूरदर्शन केन्द्र की व्यवस्था करना संभव नहीं हुआ है । तथापि, उत्तर प्रदेश को दिल्ली तथा लखनऊ के दूरदर्शन केन्द्रों तथा मसूरी और कानपुर के रिले ट्रांसमीटरों से दूरदर्शन सेवा पहले ही प्राप्त हो रही है । वाराणसी में रिले केन्द्र स्थापित करने का प्रस्ताव भी छठी योजना में शामिल है । इसके अलावा 'इन्स्टे' योजना के अन्तर्गत, गोरखपुर, आजमगढ़ और बस्ती जिलों को दूरदर्शन हसैवा उपग्रह के माध्यम से सीधे संग्रहण सेटों, जिन्हें इन जिलों में छठी योजना में लगाया जाएगा, पर उपलब्ध होगी ।

Interception of Mail in Shimoga District

4283. SHRI JYOTIRMOY BOSU: Will the Minister of COMMUNICATIONS be pleased to state:

(a) whether State Government of Karnataka in the wake of latest public outcry against the Karnataka Minister for Planning and Works, who had figured in a police case registered following a complaint from a Shimoga mid-wife assault attempted rape, kidnapping and wrongful confinement has ordered the interception of mail addressed to and from 35 citizens in Shimoga district; and

(b) if so, what are the details thereof and reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF COMMUNICATIONS (SHRI KARTIK ORAON):

(a) Yes, Sir.

(b) Interception of mail addressed to and from 35 citizens in Shimoga district was ordered by D.I.G. of Police vide his communication No. SB/LWC/14/75 dated 16-3-1981. Thereafter no further orders for interception have been issued.

Conversion of Divisional Telephone Exchanges into Automatic Exchanges in West Bengal

4284. SHRI R. P. DAS: Will the Minister of COMMUNICATIONS be pleased to state:

(a) whether Government propose to convert all the Divisional Telephone Exchanges of West Bengal operated manually into automatic ones; and

(b) whether complaints against manual operation for local calls are mounting?

THE MINISTER OF STATE IN THE MINISTRY OF COMMUNICATIONS (SHRI KARTIK ORAON):

(a) Yes, Sir. It is the policy of Government to automatise all District Headquarters in the States.

(b) No, Sir; but there is a marked preference for automatic working.

Opening of more P.C.Os. in District of Rajasthan

4285. SHRI VIRDHI CHANDER JAIN: Will the Minister of COMMUNICATIONS be pleased to state:

(a) how many telephone exchanges and P.C.Os. are there in Barmer, Jaisalmer and Jodhpur Districts of Rajasthan;

(b) whether Government propose to take steps to open more P.C.Os. this year to obviate the difficulty experienced by the people of this area;

(c) whether sanctioned P.C.Os. are not opened due to paucity of the material; and

(d) if so, when that problem will be solved?

THE MINISTER OF STATE IN THE MINISTRY OF COMMUNICATIONS

(SHRI KARTIK ORAON):

(a) District No. of Telephone Exchanges No. of long distance Public telephones.

Barmer	10	19
Jaisalmer	2	11
Jodhpur	17	27

(b) Yes, Sir.

(c) Opening of a sanctioned P.C.O. is sometimes delayed due to paucity of materials.

(d) Efforts are being made to improve the supply position. However, in view of general shortage of raw materials and stores complete solution of the problem may take some time.

Corruption in Bihar Coal Mines

4286. SHRI K. P. SINGH DEO: Will the Minister of ENERGY be pleased to state:

(a) whether it is a fact that a powerful coalition of police officials, coal contractors and underground leaders officiating as trade unionists has come to exercise such dominate role in the coal mines of Bihar that not only corruption has become legendary but even the orders of the Central Government are often ignored;

(b) whether he is also reported to have described Dhanbad as a 'Mafia Town'; and

(c) if so, why the Centre is feeling reluctant to make use of the National Security Act to with such anti-social elements who have held the country's progress to ransom?

THE MINISTER OF ENERGY (SHRI A. B. A. GHANI KHAN CHOUDHARY): (a) Government is not aware of any collusion between police officials, coal contractors and underground leaders as stated in the Question.

(b) No, Sir.

(c) The National Security Act is administered by the State Governments.

Sanction of Gas Agencies

4287. SHRI MOHAMMAD ASRAR AHMAD: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) the number of gas agencies sanctioned in each State indicating loca-

tion and also free or reserved for Scheduled Castes or handicapped from 1st January, 1981 to date;

(b) the number of agencies out of the above which have started supplying gas (State-wise and district-wise);

(c) the number of agencies which have fulfilled all conditions and are ready to supply gas but not allowed to register subscribers for supply of gas and the reasons therefor (State-wise and district-wise);

(d) the total number of agencies (State-wise) which are to be sanctioned during the next six months/a year (indicating location till 31st March, 1982); and

(e) the total number of gas agencies (State-wise) which are to be sanctioned during 1982-83, 1983-84 and 1984-85?

THE MINISTER OF PETROLEUM, CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI): (a) A total of 59 cooking gas agencies, 48 under 1980-81 and 11 under 1981-82 programmes, are reported to have been awarded by the oil companies so far. State-wise and district-wise details are not readily available.

(b) 4 agencies have been commissioned as under:

Andhra Pradesh	Hyderabad
Haryana	Ambala
Maharashtra	Nanded and Nasik

(c) None, Sir.

(d) As per present indication, about 510 cooking gas agencies are expected to be awarded by 31-3-1982. State-wise details are not readily available.

(e) Plans for 1982-83, 1983-84 and 1984-85 have not been finalised so far.

Allotment of L.P.G. Connections in Madhya Pradesh

4288. SHRI PRATAP BHANU SHARMA: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) how many total LPG gas connections have been given to the consumers in Madhya Pradesh as on 31st July, 1981;

(b) number of persons on the waiting list for new L.P.G. gas connections as on 31-7-1981; and

(c) what effective steps Government are taking for providing new L.P.G. gas connections?

THE MINISTER OF PETROLEUM, CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI): (a) A total number of about 8000 cooking gas (LPG) connections have been released in Madhya Pradesh during this year, as on 30-6-81.

(b) 37 Lakh in the country.

(c) The oil companies have started releasing one lakh LPG connections per month in the country with effect from March this year onwards. A total number of about 12 lakh customers are expected to be enrolled during the period between the 1st quarter of 1981 and March 1982. It is planned to enrol 8 Lakh customers per annum in the subsequent two years.

Setting up of a Radio Station at Kanyakumari

4289. SHRI N. DENNIS: Will the Minister of INFORMATION AND BROADCASTING be pleased to state the steps taken to set up a Radio Station at Kanyakumari District?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI VASANT SATHE): In the approved Sixth Plan, there is a scheme for setting up a local Radio Station with 1 kw mw transmitter and studios at Nagercoil (in Kanyakumari district).

विद्युत उत्पादन तथा वितरण यूनिटों को अलग किया जाना

4290. श्री राजनाथ सोनकर शास्त्री: क्या ऊर्जा मंत्री यह बताने की कृपा करेंगे कि:

(क) क्या देश में अधिकांश विद्युत बोर्डों ने विद्युत उत्पादन यूनिटों तथा वितरण यूनिटों को अलग-अलग कर दिया है; और

(ख) क्या बिजली की कमी का एक कारण यह भी है और यदि हां, तो इस संबंध में सरकार द्वारा क्या उपाय किए जा रहे हैं ?

ऊर्जा मंत्रालय में राज्य मंत्री (श्री विक्रम महाजन): (क) और (ख). केवल कुछ राज्य बिजली बोर्डों ने ही बिजली बोर्डों में उत्पादन और वितरण को अलग-अलग करने के लिए संगठन बनाये हैं। अभी तक कर्नाटक का मैसूर विद्युत निगम ही ऐसा अलग संगठन है जो विद्युत उत्पादन संबंधी कार्य करने के लिए बनाया गया है, जबकि पारंपरिक और वितरण के कार्य कर्नाटक राज्य बिजली बोर्ड द्वारा किए जा रहे हैं। विद्युत उत्पादन क्षमता में सुधार करने के उद्देश्य से उत्तर प्रदेश सरकार ने हाल ही में एक अलग उत्पादन कम्पनी (उत्तर प्रदेश राज्य विद्युत उत्पादन निगम) बनाई है। तथापि, निगम को कारगर तौर पर कार्य अभी शुरू करना है। पंजाब राज्य बिजली बोर्ड ने इंजीनियरी संवर्ग को दो मुख्य भागों में नामशः उत्पादन और वितरण, में बांटने का निर्णय किया है। मध्य प्रदेश और महाराष्ट्र में उत्पादन को पारंपरिक और वितरण से अलग किये जाने के परिणामस्वरूप अलग संगठन नहीं बनाये गये हैं। जैसे कि कर्नाटक में अथवा उत्तर प्रदेश राज्य बिजली बोर्ड में बनाये गये हैं। तथापि, उत्पादन सर्किल में और पारंपरिक तथा वितरण सर्किलों में नियुक्त इंजीनियरों का संवर्ग मध्य प्रदेश और महाराष्ट्र में बहुत वरिष्ठ स्तर तक इन्हीं क्षेत्रों में रहता है तथा अधिकतम उत्पादन सुनिश्चित करने में यह उपयोगी पाया गया है।

भारत सरकार का विचार है कि प्रचालन में अधिक कुशलता सुनिश्चित करने के लिए राज्य बिजली बोर्डों में विद्युत उत्पादन और वितरण के लिए विशेष संवर्ग होने चाहिए। भारत सरकार इस सुझाव पर विद्युत मंत्रियों के सम्मेलन आदि जैसे विभिन्न मंचों पर समय-समय पर जोर देती आ रही है। यह भी उल्लेखनीय है कि बिजली बोर्डों में उत्पादन और वितरण को अलग-अलग करने के लिए राज्य सरकारें पूर्ण रूप से सक्षम हैं।

Complaints regarding bribery by Contractors in Rehabilitation of repatriates from Ceylon

4291. SHRI SURAJ BHAN: Will the Minister of SUPPLY AND REHABILITATION be pleased to state:

(a) whether his attention has been drawn to an article published in *Indian Express*, Madurai Edition dated 22nd May, 1981;

(b) whether he has received complaints regarding corruption and bribery by contractors in the rehabilitation of repatriates from Ceylon; and

(c) if so, points raised in the complaints and steps Government propose to take to ameliorate the condition of repatriates to save them from the clutches of the contractors and others?

THE DEPUTY MINISTER IN THE MINISTRY OF SUPPLY AND REHABILITATION (SHRI P. K. THUNGON): (a) Yes, Sir.

(b) and (c). Some complaints were recently received to the effect that the Collectorate of Madurai had given housing Loans meant for repatriates from Sri Lanka to some contractors for construction of houses for repatriates, but the houses were not constructed in most of the cases.

The Government of Tamil Nadu have reported that entire assistance for the repatriates i.e. business loans, housing loans etc. are disbursed to individual repatriates directly and not through contractors or middlemen and that the allegation of corruption in the sanction of loans is baseless. However, as and when specific complaints are received, action is taken to render all possible assistance to the repatriates.

Subsidy to Coal Companies Undertaking Coal Conservation Measures

4292. SHRIMATI SANYOGITA RANE: Will the Minister of ENERGY be pleased to state:

(a) whether Government propose to give subsidy to coal companies undertaking coal conservation measures;

(b) the amount of financial assistance to be disbursed to producers of coal for undertaking conservation measures;

(c) what steps are proposed to prevent and contain the underground fires and creation of isolation trenches

affected by fire to prevent it from spreading to adjoining areas; and

(d) what other steps are being taken to develop technology and launch new projects for coal conservation the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF ENERGY (SHRI VIKRAM MAHAJAN): (a) Government is already giving such subsidy under the provisions of the Coal Mines (Conservation and Development), Act, 1974.

(b) An amount of Rs. 15 crores has been provided in B.E. 1981-82 for disbursement of subsidy to Coal Companies for undertaking conservation measures like protective works, and stowing and Ropeways.

(c) The following measures are being taken to combat the underground fire in the coal mines:—

- (i) Trench cutting
- (ii) Surface sealing by blanketting with overburden and earth
- (iii) Fly ash flushing
- (iv) Cooling and digging out fires
- (v) Sand flushing
- (vi) Surface sealing by water pools
- (vii) Injection of inert gases
- (viii) Drowning the fire area.

Bharat Coking Coal Limited has already launched 4 Projects at Ladna, Jogta, Rajapur and Bararee for dealing with the fire. Project Reports have also been prepared for dealing with the fire at Industry, Kusunda, Sudamdih, Pathardih, Phularitend and South Tisra Collieries, of B.C.C.L. in a phased manner.

Tata Iron and Steel Company Limited has also taken steps to put out the fires at its Jamiadoba and Sijua Collieries.

It is reported that some of fires have already been brought under control.

(d) As in the underground process of mining by bord and pillar, not more

than 60 per cent of the reserves can be extracted, open cast method of mining is being introduced, whenever feasible facilitating recovery of 90—95 per cent of the reserves. In the underground mines Longwall method of mining is being gradually introduced which also results in increased recovery.

To meet the shortage of sand for stowing, experiments are being made with crushed stone. This would also ensure higher percentage of coal extraction from underground mines.

Shortage of Postal Stamps, Post Cards, Inland Letters and Envelopes in West Bengal

4293. PROF. SATYAGOPAL MISRA: Will the Minister of COMMUNICATIONS be pleased to state:

(a) whether Government are aware of the fact that there is an acute shortage of postal stamps, post cards, inland letters and envelopes etc. in different post offices in West Bengal;

(b) what are the reasons; and

(c) the remedial measures taken/proposed to be taken to remove the shortage?

THE MINISTER OF STATE IN THE MINISTRY OF COMMUNICATIONS (SHRI KARTIK ORAON): (a to (c). There has been some shortage of postage stamps and postal stationery from time to time, as the production of these items has not always been able to keep pace with the increasing demands.

Several measures taken/proposed to be taken to remove shortage are detailed in the statement laid on the Table of the House. (Placed in Library. See no. LT-2832-A/81).

Life of Thermal and Super Thermal Plants

4294. SHRI KALI CHARAN SHARMA: Will the Minister of ENERGY be pleased to state:

(a) what is the life of Thermal and Super Thermal Power Stations of all the States and of N.T.P.C.;

(b) what provision has been made for the replacement of these projects every year and what has been the aggregate of this amount upto this day; and

(c) how much derating has been done in these projects upto this day?

THE MINISTER OF STATE IN THE MINISTRY OF ENERGY (SHRI VIKRAM MAHAJAN): (a) The accepted life of a Thermal Power Station is 25 years though the life of individual component varies.

(b) There is a provision for depreciation under the Electricity Supply Act where the principles of depreciation have also been elaborated. The ageing of existing units and the need to compensate for the reduced generation from them is taken into account while formulating power plans.

(c) The Central Electricity Authority has accepted deration of 381.7 MW of the installed capacity of thermal power stations in the country.

Progress made in setting up Petrochemical complexes Based on Bombay High Gas

4295. SHRI SUBHASH CHANDRA BOSE ALLURI: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state what is the progress made in setting up the petrochemical complexes based on Bombay High gas so far, and the details thereof?

THE MINISTER OF PETROLEUM, CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI): Preparatory work on the Maharashtra gas cracker project has been taken in hand. Details on the Gujarat gas cracker project are being worked out.

Appointment of Producers from Staff Artistes

4296. SHRI RAMAYAN RAI: Will the the Minister of INFORMATION AND BROADCASTING be pleased to

refer to the reply given to Unstarred Question No. 6712 on 7th April, 1981 regarding promotion of Assistant Station Director and state:

(a) whether it is a fact that producers are appointed for planning and production of the programmes and they are supposed to be experts in their field;

(b) whether the Staff Artistes working in other field as Announcers, Musicians, Production Assistance are also supposed to be expert in their line; and

(c) if so, whether Government propose appointing only producers in A.I.R. and T.V. from the category of other Staff Artistes and give them more powers to produce better programmes?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI VASANT SATHE): (a) Both Producers and the Programme Executives are assigned the duties of planning and producing programmes, under the over all supervision of the Station Directors on the basis of their suitability and specialisation in their respective disciplines.

(b) The Production Assistants, Announcers and Musicians assist in the production and presentation of programmes produced and planned by the programme officers, as a Team. They have the required proficiency and specialisation in their respective field of work.

(c) There is no such proposal.

Meeting of Deputy Minister and All India Small Newspapers Editor's Conference

4297. **SHRI CHINGWANG KONYAK:**

SHRIMATI MADHURI SINGH:

Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) whether it is a fact that a delegation of the All India Small Newspapers Editors' Conference had met

the Deputy Minister in New Delhi recently;

(b) if so, whether the delegation had put forward certain demands to her in regard to the distribution of News Print, need for more slow speed news bulletin, abolition of sales tax on newsprints and to remedy several irregularities in the distribution of advertisement etc., if so, the reaction of the Government thereto; and

(c) the decision taken on the demand of the Conference?

THE DEPUTY MINISTER IN THE MINISTRY OF INFORMATION AND BROADCASTING (KUMARI KUMUD-BEN M. JOSHI): (a) and (b). Yes, Sir.

(c) The demands are being examined.

Advisory Committee for different Stations of Akashvani and Doordarshan

4298. **SHRI RUP CHAND PAL:** Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) whether Government have formed any Advisory Committees for the different stations of 'Akashvani' and Doordarshan'; and

(b) if so, the details thereof?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI VASANT SATHE): (a) Yes, Sir.

(b) Programme Advisory Committees at four AIR Stations, namely, Bangalore, Jalgaon, Raipur and Silchar have already been formed. Further, Advisory Committees for 23 AIR Stations have been communicated to the concerned Stations. For rest of the Stations, the Committees are in the process of constitution.

Supply of Coal in Karnataka

4299. SHRI K. LAKKAPPA:

SHRI H. N. NANJIB GOWDA:

SHRI D. M. PUTTE GOWDA:

Will the Minister of ENERGY be pleased to state:

(a) whether it is a fact that Public Sector Corporation such as Karnataka Soap and Detergents Limited, Mysore Paper Mills and Karnataka Small Industries Development Corporation Limited are not getting adequate supplies of coal and if so, facts thereof; and

(b) action contemplated by Government in the matter?

THE MINISTER OF STATE IN THE MINISTRY OF ENERGY (SHRI VIKRAM MAHAJAN): (a) and (b). The primary source of supply of coal to these units in Karnataka is the Singareni Collieries Co. Ltd. The production in this company was adversely affected on account of a series of strikes by their workers in April-June '81, as a result of which coal supply to these units from this source got disrupted. The strikes in Singareni were withdrawn with effect from 12-6-81, subsequent to which the production in Singareni has picked up even beyond the target level and the coal requirements of its linked consumers are now being substantially met. Part of the requirement of Mysore Paper Mills is also met from Chanda coalfields under the Western Coalfields Ltd. from which Railways did not move coal to South for about 3 to 4 weeks in June-July '81 for operational reasons. The movement has since been resumed and depending on the availability of wagons the movement from this source would be as per the programme. Coal supplies to all these units are expected to improve further in the subsequent months. To mitigate the problems of the coal consumers in South during the period of strike in Singareni Collieries Co. Ltd.,

steps were also taken to move coal from Bihar-Bengal Coalfields as a temporary measure.

श्री गंगानगर में टेलीफोन कनेक्शन

4300. श्री मनफूल सिंह चौधरी : क्या संचार मंत्री यह बताने की कृपा करेंगे कि :

(क) श्री गंगानगर में कितने टेलीफोन कनेक्शन हैं तथा कितने आवेदन प्रतीक्षा सूची में हैं;

(ख) ऐसे स्वचल एक्सचेंजों की संख्या कितनी है जिनमें न्यूनतम टेलीफोन कनेक्शन हैं और उनमें टेलीफोन कनेक्शनों की संख्या कितनी है; और

(ग) ऐसे दस करचल टेलीफोन एक्सचेंज जिनमें अधिकतम टेलीफोन कनेक्शन हैं और उनमें टेलीफोन कनेक्शनों की संख्या कितनी है?

संचार मंत्रालय में राज्य मंत्री (श्री कार्तिक उरांव) : (क) श्री गंगानगर में चालू तथा प्रतीक्षा सूची की स्थिति निम्नलिखित प्रकार है :—

चालू कनेक्शनों की संख्या	4672
प्रतीक्षा सूची :—	
अ. वाइ. टी	20
विशेष	18
सामान्य	427

(ख) श्री गंगानगर जिले में न्यूनतम टेलीफोन कनेक्शन वाले 10 स्वचल एक्सचेंज के नाम तथा उनके चालू कनेक्शन विवरण-I में दिए गए हैं।

(ग) अधिकतम संख्या में टेलीफोन कनेक्शन वाले 10 हस्तचल एक्सचेंजों के नाम तथा उनमें चालू कनेक्शन विवरण-II में दिए गए हैं।

धिवरण —I

श्रीगंगानगर जिले में स्थित सड़क से टेलीफोन कनेक्शन वाले 10 स्थित एक्सचेंजों के नाम तथा उनके चालू कनेक्शन

क्रम सं०	एक्सचेंज का नाम	चालू कनेक्शन
1.	जैतसर फार्म	12
2.	गंगूवाल	13
3.	मिर्जावाला	16
4.	सी० सी० हेड	19
5.	चक 30	24
6.	गणेश गढ़	10
7.	रिबनियालसर	14
8.	तलवारा	18
9.	टिबी	9
10.	डाबलो	10

धिवरण —II

श्रीगंगानगर में अधिकतम चालू कनेक्शनों वाले हस्तचल एक्सचेंजों के नाम

1.	श्रीगंगानगर	1810
2.	हनुमानगढ़ जंक्शन	280
3.	सूरतगढ़	234
4.	संगारिया	196
5.	निहार	194
6.	पीली बंगा	154
7.	श्री कर्णपुर	140
8.	पद्मपुर	128
9.	रायसिंह नगर	251
10.	श्री बिजय नगर	108

Allotment of extra L.P.G. Cylinders

4301. SHRI SOMJI BHAJI DAMOR:
DR. VASANT KUMAR
PANDIT:

Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) What are the criteria for allotment of extra LPG Cylinders (DBC) to consumers;

(b) how many (a) single LPG cylinders and (b) extra LPG Cylinder (DBC) were given during 1980 and 1981 upto 31-8-81 in the Delhi area;

(c) what is the number of applicants on the Waiting List for Delhi Area as on 31-8-81 for (a) Single LPG and (b) DBC Extra;

(d) when do Government propose to clear the above pending applications;

(e) whether Government have a project to manufacture indigenously Gas Cylinders in the country; and

(f) what is the total number of LPG Cylinders imported in the country during 1980 and 1981 up to 30-6-1981?

THE MINISTER OF PETROLEUM, CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI): (a) Applications received from cooking Gas (LPG) customers for a second cylinder (DBC) are considered individually on merits.

(b) and (c). There are about 4 lakh applicants for new cooking gas connection in Delhi at present. However, no separate lists are maintained for the applications for a second cylinder or on the number of such requests sanctioned. Large scale releases of new connections have not been possible in the past due to the inadequate availability of LPG. About 35,000 new connections have been sanctioned in Delhi, during the year, as on 30-6-81.

(d) The applications in the waiting lists for new gas connections will be cleared by the oil companies in a phased manner depending upon the availability of LPG. With the further

increase in the availability of LPG it would be possible to consider the requests for DBC from the existing customers on demand.

(e) LPG cylinders are being procured by the oil companies entirely from indigenous sources, including public sector units.

(f) Does not arise.

Progress of LPG phase II expansion Project at Urban Nagaon

4302. SHRI A. T. PATIL: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) the present progress of the LPG Phase II Expansion Project at Urban Nagaon (Maharashtra);

(b) whether the progress is in conformity with the time-schedule envisaged the original plan;

(c) whether there are any variations in the plan and time-schedule; and if so, what are the particulars, causes and consequences thereof; and

(d) action taken by Government (i) to remove the causes and consequences of variation in the plan and its time-schedule; and (ii) to achieve speedier implementation of the project and maintaining of the time-schedule thereof?

THE MINISTER OF PETROLEUM, CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI): (a) to (d). The Phase II expansion of the ONGC projects at Uran has been delayed slightly since the merits of locating this in the present Uran site of the ONGC which will require an additional 41 hectares that falls within the CIDCO's reserved area for developing a Regional Park, has been questioned on environmental planning grounds. Studies in this matter have been completed and a decision is expected to be taken very shortly.

उत्तर प्रदेश के बलमोड़ा और पिथौरागढ़ जिलों में बायोमेट्रिक इलेक्ट्रॉनिक एक्सचेंज स्थापित करना

4303. श्री हरीश चन्द्र सिंह रावत : क्या संचार मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या उसका मंत्रालय उत्तर प्रदेश के बलमोड़ा और पिथौरागढ़ जिलों में बायोमेट्रिक, दारुहट, गरुड़, बागेश्वर, लोहा घाट, गंगोलीहट और मसपारी में बायोमेट्रिक इलेक्ट्रॉनिक एक्सचेंज स्थापित करने के प्रस्ताव पर विचार कर रहा है; और

(ख) यदि नहीं, तो क्या उनका मंत्रालय इन क्षेत्रों की दूरगमता और सुदूरता का ध्यान में रखकर ऐसे एक्सचेंज स्थापित करने के प्रस्ताव पर विचार करने के लिए तैयार है ?

संचार मंत्रालय में राज्य मंत्री (श्री कार्तिक उरांव) : (क) जी नहीं ।

(ख) जी हां । यदि वित्तीय तथा तकनीकी दृष्टि से व्यवहार्य हो ।

Release and Distribution of Advertisements

4304. SHRI MANGAL RAM PREMI: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) whether there are proposals under Government consideration to release and distribute advertisements through D.A.V.P. of all public corporations, public enterprises and public undertakings alongwith Railways, Government and semi-Government concerns;

(b) if so, the details thereof;

(c) if not, the reasons thereby;

(d) whether some demand has been made from any quarter recently;

(e) if so, the demand of the same in details; and

(f) the action taken in the matter?

THE DEPUTY MINISTER IN THE MINISTRY OF INFORMATION AND BROADCASTING (KUMARI KUMUD BEN M. JOSHI): (a) to (c). No, Sir. A number of Public Sector Undertakings and autonomous bodies do, however, utilise on their own the services of the Directorate of Advertising and Visual Publicity for the release of their advertisements.

(d) to (f). Some newspaper publishers and newspaper associations have mooted this suggestion. The decision, however, rests with the organisations and the administrative ministries concerned.

Import of Telephone Equipment

4305. SHRI SKARIAH THOMAS: Will the Minister of COMMUNICATIONS be pleased to state:

(a) whether any decision has been taken to import telephone equipments from outside; and

(b) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF COMMUNICATIONS (SHRI KARTIK ORAON): (a) and (b). Import of items of telecommunications equipment like telephone exchange equipment, Radio equipment, Transmission equipment etc. is resorted to in cases where indigenous production is inadequate to meet the demand or where such items of equipment are not indigenously manufactured. Decisions for import are taken on a continuing basis in accordance with the provisions in the approved Five Year Plans.

Programmes of Delhi Doordarshan

4306. DR. A. U. AZMI: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) is it a fact that the programmes of Delhi Doordarshan lack in taste and originality and keep on showing the old programmes without caring to see if they suited the season and the time, such as showing Faisla on 24th and

Qwali in Aap Ke Liye programme on 26th July wherein people have been shown in woollens; and

(b) if so, whether efforts are being made to locate new fields of programmes of general public interest, educative and entertaining in character, rather than creating boredom?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI VASANT SATH): (a) and (b). Programmes telecast by Doordarshan Kendra, Delhi, are quiet well received and appreciated. They are periodically reviewed with a view to improve quality of the programme and to make appropriate changes. This is a continuous effort, and new and original programmes of educative and entertainment value are introduced from time to time. New formats like 'Aap Ke Liye', and 'Lok Manch' have been developed. In 'Parikrama' a new series is being evolved in which focus would be on public amenities and their judicious use by people. A wild life series is also being introduced. Special series of Comparative Religion, Science for Children, Police and People are under way. In addition, outside film producers are also being engaged for production of TV films under special scheme.

However, sometimes, in view of the requests of the viewers and repeat value of the programmes, some of the programmes are telecast again. Both the programmes, 'Faisla' which was on Muslim Personal Law and Qwali rendered by Sabri Bros. and Party in 'Aap Ke Liye' were telecast again because of the repeat value of the programmes.

Defect in Telephone Systems of Metropolitan Cities

4307. SHRI VIRBHADRA SINGH: Will the Minister of COMMUNICATIONS be pleased to state:

(a) whether it is a fact that there is defect in functioning of the telephone system especially in the different metropolitan cities in the country;

(b) if so, what are the defects identified; and

(c) what steps are being taken to improve their functioning?

THE MINISTER OF STATE IN THE MINISTRY OF COMMUNICATIONS (SHRI KARTIK ORAON):

(a) and (b) No, Sir. However, efforts are constantly made to bring further improvements in the working of the telephone systems. The performance sometimes gets affected due to vulnerability of underground cables to fault.

(c) The following steps are being taken to improve the functioning of telephone systems:—

(i) Special testing of exchange equipments particularly the inter-exchange junctions;

(ii) Special attention to repeat complaints by higher level officers;

(iii) Modernisation of telephone systems;

(iv) Keeping continuous watch over the working of fault repair service, auto-manual and trunk services;

(v) gas pressurisation of main underground cables;

(vi) Providing protection to the underground cables by half ducts wherever necessary;

(vii) Construction of underground cable ducts;

(viii) Flooding of cable trenches before they are closed;

(ix) Use of jelly-filled cables in distribution network;

(x) Opening of Customer Service Centres in Metropolitan Cities for giving prompt attention to subscribers' difficulties.

हिन्दुस्तान पेट्रोलियम कम्पनी द्वारा मध्य प्रदेश में एल. पी. जी. बिक्रेताओं की नियुक्ति

4308. श्री इलीप सिंह भूरिया : क्या पेट्रोलियम रसायन और उर्वरक संघी यह बताने की कृपा करेंगे कि :

(क) क्या हिन्दुस्तान पेट्रोलियम कम्पनी ने 1980 में समाचार पत्रों में विज्ञापन द्वारा मध्य प्रदेश के झाबुआ जिला में मुख्यालय में खाना पकाने की गैस की एजेंसियों देने के संबंध में आवेदन पत्र आमंत्रित किए हैं ;

(ख) यदि हां, तो आवेदन पत्र द्वारा प्राप्त हुए और किन्ने आवेदनकर्ताओं को उनकी योग्यता के आधार पर पहले भंडाल में साक्षात्कार के लिए बुलाया गया ;

(ग) क्या यह सच है कि उनकी योग्यता के आधार पर बनाई गई उम्मीदवारों की सूची को स्वीकृति प्रदान नहीं की गई और बिना किसी कारण भोपाल में दूसरे साक्षात्कार का जो आयोजन किया गया और पहले साक्षात्कार में जो उम्मीदवार उपयुक्त नहीं पाये गये थे उन्हें अपनी योग्यता प्रमाणित करने का दूसरा अवसर दिया गया और पहले वालों सूची में बदल दिया गया ; और

(घ) दो बार साक्षात्कार करने के बावजूद भी अभी तक किसी भी उम्मीदवार खाना पकाने की गैस की एजेंसी न देने का क्या कारण है ?

पेट्रोलियम, रसायन और उर्वरक संघी (श्री प्रकाश चन्द्र सेठी) : (क) जी, हां ।

(ख) प्राप्त कुल 53 आवेदन-पत्रों में से केवल 42 प्रत्यासियों को प्रथम साक्षात्कार के लिए बुलाया गया था ।

(ग) "सामाजिक उद्देश्य" श्रेणी की एजेंसियों में यह महसूस किया गया

था कि उन सभी को, जो पात्र हैं परन्तु जिन्हें पहले साक्षात्कार के लिए नहीं बुलाया गया था, साक्षात्कार के लिए बुलाया जाय । अतः दिसम्बर 1980 तक किए गये साक्षात्कारों को रद्द कर दिया गया था । दूसरे साक्षात्कार के लिए समानता लाने के लिए, सभी पात्र प्रत्यासियों को साक्षात्कार के लिए बुलाया गया था ।

(घ) झाबुआ (मध्य प्रदेश) में "सामाजिक उद्देश्य" श्रेणी के अधीन तरल पेट्रोलियम गैस की बिक्रेत एजेंसियों के चयन को अभी अंतिम रूप दिया जाना है ।

Gas Cylinder Accidents

4309. SHRI HANNAN MOLLAH: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether he is aware that during investigations of some of the major accidents it had invariably been found that leakage in the body of the cylinder or the valve was responsible for the presence of inflammable gas in the storage shed or truck or kitchen; and

(b) if so, what steps have been taken against the oil companies which are not giving attention to the problem?

THE MINISTER OF PETROLEUM, CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI): (a) The Chief Controller of Explosives, who has been investigating into the accidents involving cooking gas (LPG) cylinders has reported that some of the accidents were due to malfunctioning of the valves used in LPG cylinders, while others have been due to the negligence/ignorance of the untrained deliverymen/mechanics engaged by the LPG distributors, while handling the cylinders. Accidents have

also been due to mishandling of LPG cylinders by the customers. However, accidents due to leakage of gas from the body of LPG cylinders have not been reported.

All LPG cylinders are checked as stipulated under the Gas Cylinder Rules, framed under the Indian Explosives Act, 1884. Only the cylinders conforming to the specifications are in circulation. The oil companies have already taken steps to switch over to the new type of valves prescribed by the Indian Standards Institution (ISI). They are also ensuring that their distributors employ only well trained mechanics and deliverymen.

(b) Does not arise.

नवादा ग्रिड उप-केन्द्र

4310. श्री कुंवर राम : क्या ऊर्जा मंत्री यह बताने की कृपा करेंगे कि :

(क) नवादा ग्रिड उप-केन्द्र (बिहार) का निर्माण कार्य जिसे इस वर्ष मार्च में पूरा होना था के अब तक पूरा न होने के क्या कारण हैं ; और

(ख) इस कार्य को पूरा करने के लिए क्या कदम उठाये जा रहे हैं ?

ऊर्जा मंत्रालय से राज्य मंत्री (श्री बिष्णु महाजन) : (क) और (ख). बिहार राज्य बिजली बोर्ड से प्राप्त हुई अद्यतन रिपोर्ट के अनुसार, नवादा ग्रिड उप-केन्द्र (चरण-एक) को चालू करने का कार्य अगस्त, 1981 में पूरा हो गया है। विद्युत ट्रांसफार्मर की प्रतिष्ठापना और करेन्ट और पोटेंशियल ट्रांसफार्मरों की प्रतिष्ठापना से संबंधित कार्य के पूरा होने में विलम्ब होने के कारण इस उप-केन्द्र को चालू करने की निर्धारित तिथि को स्थगित करना पड़ा था।

Curbing of Defections

4311. SHRI AMAR ROYPRADHAN:

SHRI M. V. CHANDRASHEKARA MURTHY:

SHRI KRISHNA KUMAR GOYAL:

SHRI CHIRANJI LAL SHARMA:

Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether Government are considering to amend the People's Representation Act to curb defections;

(b) if so, what are the details in this regard;

(c) whether the Election Commission has advised to amend the People's Representation Act to curb defections; and

(d) if so, what are the details in this regard and what action has so far been taken in the matter?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI P. SHIV SHANKAR): (a) No, Sir. An amendment of the Constitution would be necessary for curbing defections.

(b) Does not arise.

(c) No formal recommendation in this behalf has been received by the Government from the Election Commission.

(d) Does not arise.

Disturbances by Departmental Employees in Laying the Foundation Stone of District Telegraph Office in Arrah (Bihar).

4312. PROF. SATYADEO SINGH: Will the Minister of COMMUNICATIONS be pleased to state:

(a) whether the Minister of State in his Ministry was to lay the foun-

dation stone of a district telegraph office at Arrah (Bihar) on August 12, last;

(b) whether the foundation laying ceremony could not be held because of disturbances created by some departmental employees belonging to the workers Union; and

(c) if the answer to part (b) above be in the affirmative the action being taken by Government against those departmental employees who are responsible for the incident so as to stop recurrence of such happenings?

THE MINISTER OF STATE IN THE MINISTRY OF COMMUNICATION (SHRI KARTIK ORAON):

(a) Yes, Sir.

(b) Yes, by some employees belonging to Postal Union.

(c) Action will be taken as per departmental rules on the subject by the concerned Head of Circle.

Proposal to bring Talcher and Ib Valley Coalfields Under Separate Subsidiary of Coal India Limited

4313. SHRIMATI JAYANTI PATNAIK: Will the Minister of ENERGY be pleased to state:

(a) is there any proposal under consideration of the Ministry to bring Talcher and Ib Valley Coalfields under the administrative control of a separate subsidiary company of the Coal India Limited; and

(b) what is the estimated production of coal from Ib Valley and Talcher Coalfields at the end of the 6th Plan period?

THE MINISTER OF STATE IN THE MINISTRY OF ENERGY (SHRI VIKRAM MAHAJAN): (a) No, Sir.

(b) The estimated production of coal from Ib Valley and Talcher Coalfields at the end of 6th Plan period is 2.00 million tonnes and 3.40 million tonnes respectively.

Steps taken to reduce Transmission and Distribution Losses

4314. SHRI CHAKRADHARI SINGH: Will the Minister of ENERGY be pleased to state:

(a) what are the steps taken by various State Electricity Boards, Regional Electricity Boards or N.T.P.C. and C.E.A. to reduce the transmission and distribution losses during the last five years;

(b) what was the percentage of T.D. (Transmission and Distribution) loss of each authority in each State and that of N.T.P.C. for the last five years and what is the position today; and

(c) what is the Transmission and Distribution loss in Bulk Distribution and low tension distribution in each State for the last five years?

THE MINISTER OF STATE IN THE MINISTRY OF ENERGY (SHRI VIKRAM MAHAJAN): (a) The Central Electricity Authority have framed certain guidelines for reduction of transmission and distribution losses, which have been forwarded to the States for adoption in their Systems. The main features of the guidelines, *inter alia*, include:

(i) Formulation of a special set up in each Electricity Board to identify the weak areas.

(ii) Pilot System Studies to be initiated by the Boards for distribution planning and endeavours to be made to cover not only the primary distribution and LT networks but also the associated sub-transmission systems.

(iii) Setting up a special unit in each Electricity Board to prepare schemes for reduction of losses.

(iv) Amendment of conditions of 'Supply' to make it obligatory on the part of the inductive motive power consumers to instal shunt capacitors at their terminals.

(v) Erection of new transmission lines, lines and substitutions to relieve overloaded lines, changing of conductors by higher size of the existing lines, re-location of sub-stations and re-arrangement of existing L. T. systems

(vi) Installation of high tension. (HT) capacitors at various Grid substations and primary distribution sub-stations for improving voltage conditions, power factor and to reduce loading of the transmission and sub-transmission lines.

(vii) Setting up of vigilance squads comprising Electricity Board's/Departments' engineers and a police officer to conduct surprise inspections to check pilferage of energy.

Most of the States have been following the above guidelines to minimise the T&D losses to the extent possible.

The Regional Electricity Boards and NTPC do not have any transmission and distribution lines at present.

(b) and (c). The State-wise details of the percentage of transmission and distribution losses for the last five years (1975-76 to 1979-80) are given in the Statement.

The State-wise details of the T&D losses during the year 1980-81, the position as on today and the transmission and distribution loss in bulk and low tension distribution, are not available.

Statement

Percentage Transformation, Transmission and Distribution losses (including Commercial Losses) in State Electricity Boards/Depts

Sl. No.	State Electricity Board/ Department	Percentage Transformation, Transmission and Distribution losses, including unaccounted/commercial losses (such as pilferage etc.)					Remarks
		1975-76	1976-77	1977-78	1978-79	1979-80	
1	2	3	4	5	6	7	
I. Northern Region							
1. Haryana	.	23.19	21.54	21.73	21.68	28.35	
2. Himachal Pradesh	.	19.62	26.41	23.07	19.46	19.62	
3. Jammu & Kashmir	.	23.34	23.77	34.06	41.24	46.01	
4. Punjab	.	21.18	23.66	20.08	19.41	19.49	
5. Rajasthan	.	25.74	24.50	25.00	26.60	28.64	
6. Uttar Pradesh	.	21.69	23.96	20.13	18.63	18.39	
7. Chandigarh	.	22.43	25.38	29.85	25.09	27.68	
8. D. B. S. U. Northern Region	.	13.97	13.30	13.96	14.34	15.33	
		22.76	23.44	21.59	21.30	22.06	

1	2	3	4	5	6	7
II. Eastern Region						
1. Bihar	.	23.94	26.02	24.45	23.70	18.27
2. Orissa	.	14.29	14.29	13.65	18.26	16.81
3. Sikkim	25.59	19.47	20.79
4. West Bengal	.	11.69	10.67	12.75	12.97	13.65
5. Andaman & Nicobar	.	9.42	17.33	20.88	24.74	27.98
Eastern Region	.	15.69	16.35	16.06	16.78	16.98
III. North Eastern Region						
1. Assam	.	16.50	19.05	19.96	20.26	18.23
2. Manipur	.	24.63	25.00	52.56	67.14	55.84
3. Meghalaya	.	9.03	8.37	8.28	7.07	11.15
4. Nagaland	.	25.26	35.97	38.20	35.79	32.58
5. Tripura	.	16.61	24.28	25.85	35.89	32.17
6. Arunachal Pradesh	.	36.30	36.38	32.62	26.29	16.64
7. Mizoram	.	..	34.02	10.31	0.09	37.22
North Eastern Region	.	19.35	21.53	22.95	23.33	21.93
IV. Southern Region						
1. Andhra Pradesh	.	24.53	24.12	22.97	20.54	20.88
2. Karnataka	.	15.92	15.24	15.96	21.94	20.60
3. Kerala	.	16.13	14.17	11.61	11.39	14.83
4. Tamil Nadu	.	18.85	18.72	18.54	18.63	19.49
5. Lakshadweep	.	10.42	16.98	17.81	21.84	14.81
6. Pondicherry	.	11.98	13.35	15.68	13.92	15.20
Southern Region	.	20.42	19.88	19.85	21.31	19.93
V. Western Region						
1. Gujarat	.	19.51	19.01	17.92	16.73	18.08
2. Madhya Pradesh	.	18.80	18.75	18.86	20.24	22.68
3. Maharashtra	.	17.50	17.37	16.83	17.74	17.35
4. Dadra & Nagar Haveli	.	35.03	42.65	37.14	29.10	27.20
5. Goa, Daman and Diu	.	20.43	18.26	22.36	26.29	31.94
Western T Region	.	17.04	17.58	17.60	18.45	18.29
All India (for utilities)	.	19.42	19.79	19.26	20.02	20.45

NOTE: Figures for 1979-80 are provisional.

उड़ीसा द्वारा मध्य प्रदेश को बिजली की सप्लाई

4315. श्री केमर भूषण : क्या ऊर्जा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि उड़ीसा सरकार मध्य प्रदेश सरकार को पांच मेगावाट बिजली की सप्लाई करने के लिये वचनबद्ध है;

(ख) क्या उड़ीसा ने यह सप्लाई दिनांक 24 सितम्बर, 1979 से रोक दी है;

(ग) यदि हाँ, तो मध्य प्रदेश को बिजली की सप्लाई अब तक पुनः शुरू न करने के क्या कारण हैं; और

(घ) सरकार का यह सुनिश्चित करने के लिये क्या कार्यवाही करने का विचार है कि उड़ीसा सरकार मध्य प्रदेश सरकार को दिये गये वचन का पालन करे?

ऊर्जा मंत्रालय में राज्य मंत्री (श्री विक्रम महाजन) : (क) उड़ीसा, 23 सितम्बर, 1979 तक मध्य प्रदेश को 5 मेगावाट बिजली की सप्लाई कर रहा था।

(ख) अपने जल विद्युत केन्द्रों से कम उत्पादन होने के कारण उड़ीसा ने यह सप्लाई 24 सितम्बर, 1979 से बन्द कर दी थी। तथापि उड़ीसा में जब बिजली सप्लाई की स्थिति अच्छी हुई तो मध्य प्रदेश को पुनः सप्लाई नहीं दी गई।

(ग) उड़ीसा राज्य बिजली बोर्ड द्वारा मध्य प्रदेश बिजली बोर्ड को पहले की गई सप्लाई के भुगतान के दर के बारे में उड़ीसा राज्य बिजली बोर्ड और मध्य प्रदेश बिजली बोर्ड के बीच कुछ मतभेद हैं।

(घ) राज्य सरकारों के बीच यह पूर्ण रूप से एक द्विपक्षीय व्यवस्था है तथा इस मामले का समाधान संबंधित राज्य सरकारों को ही करना है तथा केन्द्रीय सरकार का संबंध इससे नहीं है।

Strike in National Projects Construction Corporation

4316. SHRI NARAYAN CHOUBEY: Will the Minister of ENERGY be pleased to state:

(a) is it a fact that strike is going on in the National Projects Construction Corporations since 13th April, 1981 at national level;

(b) if so, what steps Government have taken to settle the issues with the workers representatives;

(c) is it a fact that the Chief Labour Commissioner (Central) intervened in the matter and convened a joint meeting on 12th June, 1981 and after holding discussions with both parties he prepared a draft of the minutes/discussions and the same was given to the representatives of the management and Federation to sign;

(d) if so, whether the management refused to sign the same and allowed the strike to continue indefinitely; and

(e) if so, the details of the Government's reaction thereto?

THE MINISTER OF STATE IN THE MINISTRY OF ENERGY (SHRI VIKARAM MAHAJAN): (a) and (b). The All India NPCC Employees Federation is a trade union registered under the Trade Union Act, 1926 but not officially recognised by NPCC so far. This Federation represents some of the workmen employed at a few projects of NPCC. The Federation had served a charter of demand-cum-strike notice vide their letter dated 3rd January, 1981. NPCC had held the bilateral discussions with the Federation representatives but in spite of best efforts on the part of the management of the NPCC the negotiation failed and the Federation declared an indefinite strike by their workmen w.e.f. 31st April, 1981. Out of 44 projects sites with NPCC in India workers at only 14 projects sites went on strike. During the strike period the works of the majority of strike ridden projects went on normally due to alternative measures taken by the management except in 4 sites. As a result of prolonged discussions at informal level between the management of NPCC and the representatives of the Federation an

understanding was reached and the indefinite strike was called off on 2nd September, 1981.

(c) and (d). The strike was not formally taken in conciliation by the Dy. Labour Commissioner (Central). However, both the parties were invited by him for a joint meeting on 12th June, 1981. Since the management was not in a position to agree to various items in the suggested draft settlement, no agreement could be arrived at during this meeting.

(e) Negotiations were continued and a settlement has now been reached. As a result of this the strike was called off on 2nd September, 1981.

Permission to M/s. Tata Chemicals for raising production capacity

4317. PROF. AJIT KUMAR MEHTA: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether M/s. Tata Chemicals Ltd. was permitted to raise the production capacity of Soda ash from 3,60,000 to 5,00,000 tones;

(b) if so, when M/s. Tata Chemicals Ltd. were permitted to raise the production capacity of soda ash; and

(c) when the production capacity of soda ash was actually raised by them and what are the reasons for delay if any, in raising the production capacity?

THE MINISTER OF PETROLEUM, CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI): (a) Yes, Sir.

(b) An Industrial Licence was granted to M/s. Tata Chemicals on 4-12-73 for substantial expansion of soda ash by 1,40,000 tonnes per annum (TPA).

(c) This licence is still under implementation.

The Company has reported the following reasons as responsible for de-

lay in the implementation of the substantial expansion:

(i) Expansion of salt works is an integral part of the scheme for expansion of the soda ash capacity. Though they were granted an industrial licence in December, 1973 for the substantial expansion of soda ash capacity, clearance under the MRTP Act for expanding the salt works was issued only in May, 1977.

(ii) The unprecedented rains and floods in 1979 and 1980 had seriously affected the development of salt works.

The Company have now intimated that expansion of the soda ash plant is complete within the battery limits and that a few items of a stand-by nature are to be installed and infrastructural facilities, rearrangement of the material handling yards and setting up of boiler feed water plant are to be completed before the production from the expanded capacity starts. The company have also contended that until the conversion of the railway line from Hapa to Mithapur from metre gauge to broad gauge is completed, movement of raw materials for the expanded capacity cannot take place comfortably.

Rules for Accreditation of Correspondents

4318. SHRIMATI KISHORI SINHA:

SHRIMATI PRAMILA DANDAVATE:

Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) whether it is a fact that the rules for accreditation of correspondents at the headquarters of Government of India have been revised recently;

(b) is it a fact that under the revised rules the news-papers are required to pay a minimum of Rs. 500 p.m. to their correspondents;

(c) does this rule deprive a large number of medium and small newspapers from keeping correspondents individually instead of previous rules under which two or three papers joined hands and kept a correspondent in New Delhi; and

(d) whether there is any proposal to reconsider the/or revise the rules and restore the old practice?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI VASANT SATHE): (a) Yes, Sir.

(b) No, Sir.

(c) No, Sir.

(d) Does not arise.

Disparity in working hours of head post offices and divisional post offices

4319. SHRI SAJJAN KUMAR: Will the Minister of COMMUNICATIONS be pleased to state:

(a) whether it is a fact that working hours in Head Post Offices are from 10 a.m. to 6 p.m., whereas duty hours in Divisional Post Offices are from 10 a.m. to 5 p.m.;

(b) the reasons for the disparity in working hours; and

(c) what steps do Government propose to remove the disparity?

THE MINISTER OF STATE IN THE MINISTRY OF COMMUNICATIONS (SHRI KARTIK ORAON):

(a) to (c). While the Head Post Office is an operative office, the Divisional Office under the Superintendent of Post Offices is an administrative office. The duty hours of staff working in the operative and administrative offices of the P&T Department are different. While the staff in the Post Offices have to put in 8 hours of duty per day, the staff working in the administrative office have to perform 7 hours of duty per day. Such variation in the duty hours of operative and administrative staff is common to other Departments such

as the Railways, and this is due to nature of work, essentiality of public service etc.

गोरखपुर उर्वरक संयंत्र का विस्तार

4320. श्री कृष्ण चन्द्र पांडे : क्या पेट्रोलियम, रसायन और उर्वरक मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या गोरखपुर स्थित भारतीय उर्वरक निगम के विस्तार का कोई प्रस्ताव लम्बित समय से सरकार के विचाराधीन है,

(ख) यदि हां, तो अब तक विस्तार न किए जाने के क्या कारण हैं;

(ग) क्या, जैसा कि गोरखपुर स्थित भारतीय उर्वरक निगम का विस्तार नहीं किया गया है, इसे पूर्वी उत्तर प्रदेश की उर्वरकों की पूरी आवश्यकताएं पूरी करने में कठिनाई हो रही है, और

(घ) यदि हां, तो इसका विस्तार कब तक किया जाएगा और यदि नहीं, तो इसके क्या कारण हैं ।

पेट्रोलियम, रसायन और उर्वरक मंत्रालय में राज्य मंत्री (श्री बलबीर सिंह) : (क) जी नहीं ।

(ख) और (घ) . क्षेत्र की प्रायोजित मांग, क्षेत्र में अन्य प्लांटों से उपलब्ध उत्पादन, फीडस्टॉक की उपलब्धता और अन्य उपयुक्त मुद्दों को ध्यान में रखते हुए इस समय सरकार गोरखपुर के उर्वरक प्लांट के विस्तार को न तो आवश्यक और न ही सामयिक ही समझती है ।

(ग) जी नहीं । पूर्वी उत्तर प्रदेश की आवश्यकता की पूर्ति गोरखपुर और अन्य प्लांटों से आवंटन तथा आयातित उर्वरकों से की जाती है ।

Creation of special posts in AIR, Doordarshan

4321. SHRI RASHEED MASOOD: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) whether it is a fact that special posts have been created in AIR and

Doordarshan to accommodate certain staff artistes flouting the accepted norms and the standard procedure laid down with regard to the requirements for the posts and the internal promotions;

(b) if so, details, thereof stating the considerations which weighed with Government to create these special posts; and

(c) its reaction amongst the staff of A.I.R. and Doordarshan?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI VASANT SATHE): (a) No, Sir.

(b) Does not arise.

(c) The Staff Artistes category have welcomed this. However, the AIR Programme Staff Association has represented against the creation of these posts in the Staff Artist category.

Proposal for amending the Representation of People's Act on the Allahabad High Court verdict

4322. SHRI MADHAVRAO SCINDIA: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether in view of the verdict given by the Lucknow Bench of the Allahabad High Court declaring the Membership of Rajya Sabha of certain Members on the ground that the Secretary of the U.P. Vidhan Sabha was not an executive officer and therefore could not act as the Returning Officer for the Rajya Sabha Election, under Section 21 of the Representation of the People's Act, Government propose to amend the said Act appropriately; and

(b) when the proposed legislation is likely to be brought before the Parliament?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI P. SHIV SHANKAR): (a) As appeal against the judgement of the Lucknow Bench of Allahabad

High Court is pending in the Supreme Court the question of amending the Representation of the People Act, 1951 has not arisen.

(b) Does not arise.

राजस्थान में अनुसूचित जाति/अनुसूचित जनजाति के व्यक्तियों को पेट्रोल पम्पों/गैस एजेंसियों के लाइसेंस जारी करना

4323. श्री बिरसा राम फुलवारिया : क्या पेट्रोलियम, रसायन और उर्वरक मंत्री यह बताने की कृपा करेंगे कि :

(क) राजस्थान में पेट्रोल पम्प और गैस एजेंसियों के कितने लाइसेंस अनुसूचित जाति और अनुसूचित जनजाति के अभ्यर्थियों को जारी किये गये हैं; और

(ख) अगले वर्ष के लिए उसका कितना कोटा अनुसूचित जाति और अनुसूचित जनजाति के व्यक्तियों के लिए निर्धारित किया गया है?

पेट्रोलियम, रसायन और उर्वरक मंत्री (श्री प्रकाश चन्दा सेठी) : (क) ऐसा सूचित किया गया है कि आरक्षण नीति के आरम्भ से (अर्थात् 'ख' स्थल रिटेल आउटलेटों को छोड़कर, इंडियन आयल कारपोरेशन लिमिटेड के लिये दिनांक 1-1-1974 से तथा सार्वजनिक क्षेत्र की तेल कम्पनियों की समस्त एजेंसियों के लिये दिनांक 23-9-1977 से) 31-3-1981 तक राजस्थान में अनुसूचित जातियों तथा अनुसूचित जनजातियों के व्यक्तियों को छः रिटेल आउटलेट डीलरशिप्स (पेट्रोल/डीजल पम्प) तथा एक खाना पकाने की गैस एजेंसी आवंटित की गई है।

(ख) विद्यमान नीति के अनुसार 25 प्रतिशत।

Supply of electricity by Neyveli Lignite Corporation to bulk consumers

4324. SHRI D. S. A. SIVAPRAKASAM: Will the Minister of ENERGY be pleased to state:

(a) whether the Neyveli Lignite Corporation gives bulk Electricity

supply to any consumers in South India;

(b) if so, the names of the bulk consumers of Electricity;

(c) whether any arrears are due to the Neyveli Lignite Corporation by such bulk consumers; and

(d) if so, the details of the arrears on date and the steps taken by the N.L.C. to recover the arrears?

THE MINISTER OF STATE IN THE MINISTRY OF ENERGY (SHRI VIKRAM MAHAJAN): (a) Yes, Sir.

(b) Tamil Nadu Electricity Board is the only consumer of power generated at Neyveli Power Station.

(c) Yes, Sir.

(d) The total arrear amounts to Rs. 675.64 lakhs as on 7-9-1981. It *inter-alia* relates to supplemental bill from April, 1981 to July, 1981; Oil escalation bill from August, 1980 to March, 1981; August, 1981 bill and other claims. Neyveli Lignite Corporation is in touch with Tamil Nadu Electricity Board to obtain payment of the arrear amount.

Villages in Ghazipur not covered under rural electrification

4325. SHRI ZAINUL BASHER: Will the Minister of ENERGY be pleased to state:

(a) number of villages not covered so far under Rural Electrification Programme in Ghazipur district of Uttar Pradesh;

(b) the names of the villages from where applications as per rules have been received and the date on which the formalities were being completed;

(c) the reasons why the villages under (b) are waiting for one to five years for electrification; and

(d) the steps Government are contemplating to take in this matter?

THE MINISTER OF STATE IN THE MINISTRY OF ENERGY (SHRI VIKRAM MAHAJAN): (a) There are in all 2510 Census inhabited villages in district Ghazipur of Uttar Pradesh.

On the basis of the report received from Uttar Pradesh State Electricity Board, 875 villages have been electrified by the end of March, 1981. There are thus 1635 census inhabited villages still to be covered under Rural Electrification Programme in this District.

(b) to (d). The Rural Electrification Schemes are formulated and implemented by the State Electricity Boards either under the normal development programme of the State Government or under the schemes by the Rural Electrification Corporation. Normally it takes about 5 years to complete the project. Out of 1635 villages yet to be electrified, 541 villages are already included for electrification under the rural electrification projects sanctioned by Rural Electrification Corporation so far which are at different stages of implementation. The remaining villages will be covered by the State Electricity Board either under the normal development programme of the State Government or schemes to be financed by Rural Electrification Corporation.

The Government is according high priority to the electrification of villages and it is expected that the target of 100 per cent electrification of all villages in the country will be achieved by 1994-95.

Basis for Fixing Share in Thermal and other Projects in States

4326. SHRI B. R. NAHATA: Will the Minister of ENERGY be pleased to state:

(a) what is the basis on which the share is fixed of various States in each thermal, super thermal or other projects; and

(b) what is the percentage given to each State out of each Central sector project during the last six years?

THE MINISTER OF STATE IN THE MINISTRY OF ENERGY (SHRI VIKRAM MAHAJAN): (a) Allocation of power from Central Sector hydel and thermal projects is presently being determined essentially on the basis of a formula which takes into account the annual energy consumption in and the yearly plan assistance given to the various States. 15 per cent of the generating capacity is however, kept unallocated for distribution to the various constituents of the region depending on the power availability position as would be existing from

time to time. Special consideration is given to the Home State by way of additional allocation in the case of thermal projects and royalty in the case of hydel projects. This formula has been applicable since 1976.

(b) Generation from the Central Sector power projects whose output is proposed to be shared on the basis of the formula referred to above is yet to commence. However, the individual shares, as proposed for these projects, are given in the annexed statement.

Statement

Shares from the various Central Sector thermal power projects.

Singrauli Super Thermal Station								(Northern Region)	
Sanctioned Capacity								2000 MW (Stage-I 600MW) (Stage-II 1400 MW)	
1								2	3
Shares									
State								Individual Shares	
Uttar Pradesh								850	
Delhi								150	
Haryana								200	
Punjab								200	
Rajasthan								300	
Unallocated								300	
								2000	
2. Korba Super Thermal Station								(Western Region)	
Sanctioned Capacity								2100 MW (Stage-I)	
State								Individual Shares 2100 MW Stage	
Gujarat								360	
Maharashtra								610	
Madhya Pradesh								610	
Goa								210	
Unallocated								310	
								2100	

1	2	3
3. Ramagundam STPS		(Southern Region)
Sanctioned Capacity		2100 MW (Stage-I)
State	Individual Shares MW	
Andhra Pradesh	595	Tentative
Tamil Nadu	485	
Karnataka	355	
Kerala	255	
Goa	100	
Unallocated	310	
	2100	
Farakka STPS		(Eastern Region)
Sanctioned Capacity		600 MW (Stage-I, Phase-I)
Shares	Individual Shares	
State	600 MW Stage (MW)	
West Bengal	205	
Bihar	135	
Orissa	75	
D. V. C.	90	
Sikkim	5	
Unallocated	90	
	600	
4. Neyveli Second Mine cut		(Southern Region)
Sanctioned Capacity		630 MW
Shares	Individual Shares	
State	630 MW (Stage) (MW)	
Andhra Pradesh	97	
Karnataka	84	
Kerala	63	
Tamil Nadu	176	
Pondicherry	65	
Neyveli Lignite Corporation	50	
Unallocated	95	
	630	

Shortage of Patent Drugs

4327. SHRI RAVINDRA VARMA:
Will the Minister of PETROLEUM,
CHEMICALS AND FERTILIZERS be
pleased to state:

(a) whether over-production of
bulk drugs for captive consumption
by foreign firms and restrictions to
Indian firms have resulted in shortage
of patented brand products in the
country; and

(b) how many applications, firm-
wise, item-wise have been refused to
medium scale Indian companies and
the reasons and statutory provisions
under which they were refused?

THE MINISTER OF STATE IN
THE MINISTRY OF PETROLEUM,

CHEMICALS AND FERTILIZERS
(SHRI DALBIR SINGH): (a) It is
presumed that the question is with re-
gard to production of bulk drugs in
excess of licensed capacities by foreign
drug companies where as per condi-
tions in their license, they are to sup-
ply to non-associated formulators.
This has already been indicated in
reply to parts (c) and (d) of the Lok
Sabha Unstarred Question No. 7376
answered on 14-4-1981. It has been
noticed that no shortage of patented
brand products based on bulk drugs
mentioned in the said reply has occur-
red on a continuing basis.

(b) Details of such applications re-
ceived during 1980 and rejected so far
indicating the reasons for rejection are
given in the attached statement.

Statement

Sl. No.	Name of the firm	Date of application	Item of manufacture	Reasons for Rejection
1	2	3	4	5
1.	M/s. Shroff Indl. Chem. Pvt. Ltd.	23-1-1980	Mercury Compounds	There was no enough demand for medicine based on mercury and the imports content of the medicine was high.
2.	M/s. Premnath R. Khandelwal	11-2-1980	Ethambutol HCl.	Adequate capacity has already been approved.
3.	M/s. Kerala State Indl. Dev. Corpn.	25-2-1980	Ampicillin Trihydrate & its formulations	Manufacture was not from basic stage.
4.	M/s. Kothari Plantation	7-4-1980	Chloramphenicol	(i) Import contents are high. (ii) Manufacture not basic.
5.	M/s. Albert David Ltd.	14-4-1980	Tinidazole etc. Acriflavin etc.	Location was not permissible.
6.	M/s. Searle (I) Ltd.	13-5-1980	Naproxen Tabs.	Company was eligible for DGTD registration.
7.	M/s. Reckitt & Colman of India Ltd.	13-5-1980	Sodium Valproate Tabs.	Company did not have any bulk drug activity.
8.	M/s. Andhra Sugars	13-6-1980	Aspirin, Sodium Salicylate	Company had not fully implemented the capacity licensed to them earlier.
9.	M/s. Dolphin Chems.	18-6-1980	Orals/Inj. & Caps.	Ratio parameters are not satisfied.
10.	M/s. Laboratories Vifor (I) Ltd.	16-7-1980	Flexivial	(i) Company not engaged in the manufacture of bulk drug. (ii) Location not permissible.
11.	M/s. Dey-Se-Chem. Ltd.	18-7-1980	Chloramphenicol & Streptomycine Cap.	Proposal is not linked with the manufacture of bulk drug from the basic stage.

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12.	M/s. Rajnikant Prabhu Das Shah	.	.	8-8-1980	Vit. B Mononitrate HCl.	Item reserved for Public Sector.
13.	M/s. Gujarat Drugs & Pharm. Ltd.	.	.	14-8-1980	Ampicillin Trihydrate & its formulations	Adequate capacity has already been licensed.
14.	Dr. J.J. Neturkar	.	.	1-11-1980	D (-) Phenyl Glycine etc.	Adequate capacity has already been licensed.
15.	M/s. Gellikeps Pvt. Ltd.	.	.	14-11-1980	Netles, Ergot, etc.	Proposal for the manufacture of items was incomplete.
16.	M/s. IDL Chemicals	.	.	16-11-1980	Terbutaline Sulphate & its formulations	Proposal of the company was already registered with DGTU Unit.
17.	M/s. Astra IDL Ltd.	.	.	21-11-1980	Dapsone Bulk and its formulations	Do.
18.	M/s. Kerala State Indl. Development Corpn. Ltd.	.	.	1-12-1980	Chloroquine Di-phosphate	1. Cost estimates worked out by the company were unrealisatics. 2. Adequate capacity had already been approved/licensed.
19.	M/s. N. K. Somani	.	.	2-12-1980	Ampicillin etc.	Adequate capacity has already been licensed/approved.
20.	M/s. Indo-Pharma Pharmaccutical Works Ltd.	.	.	17-12-1980	Isopropyl Phenazone Benorylate.	Location of the project does not conform to the location policy.
21.	M/s. New Drugs (India) Ltd.	.	.	20-12-1980	Trimethoprin.	Adequate capacity has already been licensed/approved.

Telecommunication Factories

4328. SHRI MANMOHAN TUDU: Will the Minister of COMMUNICATIONS be pleased to state:

(a) the total number of telecommunication factories established in the country;

(b) the places where such telecommunication factories have been set up;

(c) whether some of these factories are proposed to be modernised and expanded during the 6th Plan period;

(d) if so, their names;

(e) whether some new telecommunication factories are proposed to be set up in Orissa;

(f) if so, the places where these proposed new telecommunication factories are likely to be set up; and

(g) the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF COMMUNICATIONS (SHRI KARTIK ORAON): (a) Four.

(b) Bombay, Calcutta, Jabalpur and Bhilai.

(c) and (d) Yes, Sir. Provision has been made in the 6th Five Year Plan for modernisation and expansion of these telecommunications factories.

(e) No, Sir.

(f) Does not arise.

(g) Does not arise.

Private Sector Thermal Power Plants

4329. SHRI CHITTA BASU: Will the Minister of ENERGY be pleased to state:

(a) whether Government have finally agreed to allow the private sector to set up thermal plants despite the fact that power generation has been reserved for the public sector;

(b) if so, the specific reasons for such departure; and

(c) projects so far cleared for the power generation under private sector?

THE MINISTER OF STATE IN THE MINISTRY OF ENERGY (SHRI VIKRAM MAHAJAN): (a) and (b). The role of private sector as utility in the field of power generation is at present governed by the Industrial Policy Resolution of 1956 under which generation and distribution of electricity is included in Schedule 'A' of the Resolution, which lists industries in which all new units, save where their establishment in the private sector has already been approved, will be set up only by the State. This Resolution does not preclude the expansion of the existing privately owned units or the possibility of the State securing the co-operation of private enterprise in the establishment of new units when the national interest so requires. The proposals of private utilities for setting up power generation plants are considered on merits keeping in view the spirit of the Industrial Policy Resolution.

(c) In August, 1977 the extension proposal of Trombay Thermal Power Station of Tatas by 1x500 MW at an estimated cost of Rs. 175.00 crores was cleared.

In July 1978 clearance was given for establishment of new thermal power station of 4x60 MW at Titagarh (near Calcutta) to be set up by M/s Calcutta Electric Supply Company as replacement of generating capacity which was over due for retirement.

The Central Electricity Authority have accorded techno-economic approval to the proposal for replacement of the existing old and smaller units (totalling 90 MW) with a larger unit of 110 MW at the Sabarmati Thermal Power Station of the Ahmedabad Electricity Company at an estimated cost of Rs. 59.37 crores, subject to

final confirmation of coal linkage from the Standing Linkage Committee.

सीकर, राजस्थान को पेट्रोल, डीजल को सप्लाई

4330. श्री कल्याण राम भार्य: क्या पेट्रोलियम, रसायन और उर्वरक मंत्री यह बताने की कृपा करेंगे कि:

(क) गत पांच वर्षों के दौरान राजस्थान के सीकर जिले में तारीख सहित किन व्यक्तियों ने पेट्रोल अथवा डीजल पम्प के लिये आवेदन-पत्र दिये थे;

(ख) तारीखवार किन व्यक्तियों को पेट्रोल अथवा डीजल पम्प अथवा दोनों मंजूर किये गये थे;

(ग) कितने आवेदन-पत्र नामंजूर किये गये थे और किन व्यक्तियों के आवेदन-पत्र नामंजूर किये गये थे;

(घ) संबंधित जिला अधिकारी से आपत्ति प्रमाण-पत्र वाले किन व्यक्तियों के आवेदन-पत्र नामंजूर किये गये थे;

(ङ) किन व्यक्तियों के आवेदन-पत्र अभी तक विचारधीन हैं;

(च) बाद में प्रस्तुत किये गये किन व्यक्तियों के आवेदन-पत्र पहले मंजूर किये गये और किन व्यक्तियों के आवेदन-पत्र बाद में मंजूर किये गये; और

(छ) विचाराधीन आवेदन-पत्र किन-किन तारीखों को प्रस्तुत किये गये थे और उनके कब तक अनिर्णीत रहने की संभावना है;

पेट्रोलियम, रसायन और उर्वरक मंत्री (श्री प्रकाश चन्द्र सेठी): (क) डीलर के चयन के लिये तेल कंपनियों द्वारा केवल ऐसे आवेदन-पत्रों पर ही विचार किया जाता है जो समाचार पत्रों में दिये गये विशिष्ट विज्ञापन के सन्दर्भ में प्राप्त हुए हैं। ऐसा सूचित किया गया है कि गत वर्षों में राजस्थान में सीकर जिले में लक्ष्मणगढ़ के स्थान पर केवल एकमात्र रिटेल आउटलेट डीलरशिप (केवल मात्र एच. एस. डी. पम्प) विज्ञापित किया गया है। निम्नलिखित छः व्यक्तियों ने डीलरशिप के लिए आवेदन किया था:-

1. श्री दिलसुख राय चौधरी

2. श्री एस. सी. जैन

3. श्री अब्दुल रहीद खिलबी

4. श्री सुखवीर सिंह बेदी

5. श्री मान सिंह

6. श्री सुबेदार मेहरू राम

(ख) श्री दिलसुख राय चौधरी को उक्त रिटेल आउटलेट डीलरशिप दिनांक 14.3.1977 को आवंटित की गई थी।

(ग) से (छ): समस्त आवेदन-पत्र विज्ञापन में दी गई निर्धारित अवधि के अन्तर्गत प्राप्त हुए थे और उन पर विचार किया गया था। डीलर के चयन किये जाने के बाद, शेष आवेदन-पत्रों को अनिर्णीत नहीं माना जाता है।

Demand of paraffin wax by West Bengal

4331. SHRI SATYASADHAN CHAKRABORTY: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) what is the West Bengal's yearly demand of paraffin wax;

(b) how much paraffin wax has been supplied to West Bengal against the allotted quota during the last four years; year-wise details; and

(c) number of times Government supplied paraffin wax and to West Bengal equal to the actual quota; year-wise details?

THE MINISTER OF PETROLEUM, CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI): (a) According to the Government of West Bengal the demand of paraffin wax in the State is 38,000 MT per annum.

(b) and (c) The required information is given below:—

YEAR	ALLOCATION	UPLIFTMENT	
1977	6316 MT	5812 MT	
1978	6638 MT	5210 MT	
1979	7968 MT	4924 MT	
1980	9793 MT	5462 MT	

The Central Government makes allocations to the States, including West Bengal. It is for the State authorities to get indents placed upon the distributing oil companies concerned.

Talks with French Experts on Production of Oil on Onshore Installations

4332. SHRI JAGDISH TYTLER: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) the results of the Oil and Natural Gas Commission Official talk with French and other national experts regarding the increase of production of onshore installations and the methods and know-how for this purpose;

(b) whether Government have considered collaboration agreement with other nations for drilling for oil in the Godavari and other major river-basins; and

(c) if so, the details thereof?

THE MINISTER OF PETROLEUM, CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI): (a) No talks have been held by the Oil and Natural Gas Commission with French or any other foreign companies regarding the increase of production of onshore installations. However, the ONGC is finalising an agreement with V/O Techno export of USSR for repairing sick wells. A contract has also been signed with M/s. NOWSCO of Canada for stimulation of ceased wells.

(b) and (c). At present, there is no proposal for entering into an agreement with any nation for drilling for oil in the Godavari basin. However, some areas have been offered for exploration by foreign oil companies and negotiations are being held with them.

Crude Supply by Foreign Countries

4333. SHRI CHITTA MAHATA: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) the names of the countries who have agreed to resume crude supplies to this country on Government to Government basis; and

(b) the terms and conditions in this regard?

THE MINISTER OF PETROLEUM, CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI): (a) and (b). During 1980, agreements were reached with the national oil companies of the following countries for supply of crude oil:—

Iraq

Iran

U.S.S.R.

U.A.E.

Nigeria

In 1981, additionally, agreements have been reached with the national oil companies of the following countries:—

Kuwait

Saudi Arabia

Algeria

Venezuela

Mexico -

It is not in public interest to disclose any further information in this regard.

Maximum capacity of Power Generation in the country from all Sources

4334. SHRI RAM SINGH YADAV: Will the Minister of ENERGY be pleased to state:

(a) what is the maximum capacity of power generation in the country by various sources i.e. Hydel Power Projects, Super-thermal and Thermal Plants, Atomic Power Projects and Solar Energy technology;

(b) what was the total generation of power during the period commencing from January 1, 1980 to December 31, 1980 and January, 1981 to July 31, 1981;

(c) whether power generation had been below the required consumption in the country during the above said period; and

(d) if so, what have been the causes of a decline in power generation in the country?

THE MINISTER OF STATE IN THE MINISTRY OF ENERGY (SHRI VIKRAM MAHAJAN): (a) The total installed generating capacity in the country from various sources in utilities as on 31st March, 1981 was 30271 MW;

(b) the total power generation in utilities during the period 1st January, 1980 to 31st July, 1981 was 177782 MU;

(c): The energy shortage in the country during the January to December, 1980 was 14.70 per cent and during the period January to July, 1981 was 12 per cent.

(d) There has actually been considerable improvement in power generation in the country. However, the requirement of energy in the country was higher than the power generation and as such there was power shortage.

Assessment of Oil Reserve

4335. SHRI HARIHAR SOREN: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) when was the latest assessment of oil reserve has been made by the ONGC;

(b) the plans where such survey work has been conducted;

(c) whether such survey work has been conducted with the collaboration of same foreign firm;

(d) the name of those firms; and

(e) the details about their assessment?

THE MINISTER OF PETROLEUM, CHEMICALS AND FERTILIZERS

(SHRI P. C. SETHI): (a) Latest assessment of oil reserves has been made by ONGC as on 1-1-1981.

(b) A number of promising prospects delineated by field geological geophysical surveys are drilled and as and when discovery of oil is made reserves are assessed. As a routine assessment of reserves is made by ONGC once every year as on 1st January of the preceding year.

(c) to (e). As far as field surveys for assessment of oil reserves of ONGC are concerned the work is mainly carried out in ONGC. However, in the case of Bombay High field periodic assessments of reserves are made by the CFP of France in connection with the preparation of the development plan for the field.

Gross Injustice to Old Workers of Bhurangia Colliery

4336. SHRI A. K. ROY: Will the Minister of ENERGY be pleased to state:

(a) whether the attention of Government has been drawn to the news published in the 'Hirawal' dated 31-3-81 regarding gross discrimination and injustice meted out to the old workers of Bhurangia Colliery taken over by the Government as Bhurangia Project but not taking them into service; and

(b) if so, the detailed report and the action taken by Government to absorb the old workers?

THE MINISTER OF STATE IN THE MINISTRY OF ENERGY (SHRI VIKRAM MAHAJAN): (a) and (b). The information is being collected and will be laid on the Table of the House.

Swopping of Bombay High Crude with Asian Crude

4337. SHRI S. M. KRISHNA: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether Government have decided to swoop 1 to 1.5 million

tonnes of Bombay High (BH) crude with West Asian crude in the next 10 to 12 months;

(b) if so, the manner in which this crude is likely to be swapped; and

(c) why the need for this barter has arisen and the advantages accruing to India from this deal?

THE MINISTER OF PETROLEUM, CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI): (a) and (b). A tender enquiry has been floated on 14-8-1981 by Indian Oil Corporation to selected international oil companies for exchange of approximately 20,000 to 30,000 barrels a day for one year commencing from October, 1981 of Bombay High crude oil for Arab light crude oil ex-Arabian ports. The terms and conditions of the exchange are yet to be finalised.

(c) The estimated production of Bombay High crude oil from October, 1981 is expected to be more than the available refining capacity for this crude oil in the country, particularly in terms of the required product mix. It is hoped that the proposed exchange of crude oil will help to optimise the product mix of the refineries so as to meet the requirements of the country.

Irregularities in Promotion of Executives in Coal India Limited

4338. SHRI A. K. ROY: Will the Minister of ENERGY be pleased to state:

(a) is it a fact that there have been serious irregularities in the promotion of Executives for which the aggrieved Officials have complained to Coal India Limited;

(b) if so, the details of the complaints made so far regarding the irregularities in promotion; and

(c) action taken to undo the wrongs and injustices?

THE MINISTER OF STATE IN THE MINISTRY OF ENERGY (SHRI VIKRAM MAHAJAN): (a) No, Sir. The promotion of an executive to the next higher grade is based on the recommendations of a duly constituted departmental promotion committee.

(b) and (c). It is not unusual for the employees to make representations against their non-promotions. During the last few months about 80 such representations have been received and 60 of them have already been disposed of. The remaining representations are being considered in accordance with the rules on the subject.

Birlas, Singhanias enter the Drug Industry

4339. SHRI SANAT KUMAR MANDAL: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether his attention has been drawn to the news-item captioned 'Birlas, Singhanias to enter drug industry' appearing in the 'Economic Times' New Delhi dated the 14th August, 1981;

(b) if so, his reaction thereto;

(c) which are the large industrial houses now trying to diversify into Pharmaceutical industry and whether his Ministry has given them clearance in this behalf; and

(d) if so, the reasons for concentrating further power in this life-saving drugs sphere also in the hands of these capitalists?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM, CHEMICALS AND FERTILIZERS (SHRI DALBIR SINGH): (a) and (b). Yes, Sir. In the news item referred to in the question it is mentioned that Birlas and Singhanias of JK group may enter drug industry and that though their plans are yet to crystallise, both the houses are understood to be trying to identify potential areas in drugs. No industrial licence appli-

cations have so far been received from any firm belonging to these two groups for manufacture of drugs. Their applications if and when received will be considered on merits as per policy applicable to them.

(c) and (d). So far proposals have been received from the following MRTTP companies for manufacture of drugs:

- (i) Hindustan Lever Ltd.
- (ii) Nuchem Plastics Ltd.
- (iii) Lakme Limited.
- (iv) Standard Alkali and Chemical Division.

In the case of Hindustan Lever and Lakme Limited, Letters of Intent have already been issued, the case of M/s. Nuchem Plastic Limited has been rejected and the case of M/s. Standard Alkali and Chemical Division is still under consideration.

Re-use of Post Cards as Economy Measure

4340. SHRI R. K. MHALGI: Will the Minister of COMMUNICATIONS be pleased to state:

(a) whether Government have received in February, 1981 a suggestion of re-use of post card as an economy measure; and

(b) what is the reaction of Government in that regard?

THE MINISTER OF STATE IN THE MINISTRY OF COMMUNICATIONS (SHRI KARTIK ORAON): (a) and (b) A suggestion for re-use of Post Card was received. The matter is receiving attention.

Postal Service in Chinchwad Area Pune (Maharashtra)

4341. SHRI R. K. MHALGI: Will the Minister of COMMUNICATIONS be pleased to state:

(a) whether the report published in "Daily Tarun Bharat" of Poona, dated 3rd June, 1981 regarding Dis-organisa-

tion in Postal Services in Chinchwad area Pune, Maharashtra has been noticed by Government;

(b) is it true that now-a-days the Postal Delivery is not regularly made twice every day and it is delayed even upto a week;

(c) is it true that considering the past expansion of this Industrial Township the number of postmen required is 70 per cent but actually there are only 45 1/2 postmen; and

(d) what steps are being taken or proposed to be taken to improve the situation?

THE MINISTER OF STATE IN THE MINISTRY OF COMMUNICATIONS (SHRI KARTIK ORAON): (a) The Government has seen the report which is not correct. There is no dislocation in postal services in Chinchwad area.

(b) No. Postal delivery is made twice daily in all offices as a regular measure.

(c) and (d). Fifty seven additional posts of Postmen found justified according to workload have been sanctioned.

New Appointments as "Badli Loaders" in Colliery Area No. V of B.C.C.L

4342. SHRI A. K. ROY: Will the Minister of ENERGY be pleased to state:

(a) Number of new appointments as "badli loaders" in 1981 upto the 15th August in the Colliery of Area No. V of the Bharat Coking Coal Limited with the colliery wise break up in details;

(b) whether he is aware of large scale impersonation and fraud in those appointments which led the Deputy Commissioner, Dhanbad write to the Director (Personnel), B.C.C.L. recently to institute criminal cases specifically pointed out the impersonation of five harijans forcibly by the musclemen; and

(c) if so, steps taken thereon?

THE MINISTER OF STATE IN THE MINISTRY OF ENERGY (SHRI VIKRAM MAHAJAN): (a) to (c). The information is being collected and will be laid on the Table of the House.

समाचार एजेंसियों के लिए वित्तीय सहायता

4343. आचार्य भगवान दवे: क्या सूचना और प्रसारण मंत्री यह बताने की कृपा करेंगे कि:

(क) क्या सरकार समाचार एजेंसियों के वित्तीय सहायता प्रदान करती है;

(ख) यदि हां, तो क्या सरकार का इस आशय का कोई विचार है कि उन एजेंसियों की प्रबन्ध, समिति/बोर्ड में उनके मंत्रालय का अथवा वित्त मंत्रालय का एक एक प्रतिनिधि जनहित में सम्मिलित कर लिया जाए; और

(ग) क्या किसी समाचार एजेंसी ने यह मांग की है कि उसकी प्रबन्ध समिति/बोर्ड में आकाशवाणी का या दूरदर्शन का अथवा प्रेस सूचना ब्यूरो का कोई प्रतिनिधि शामिल कर दिया जाए?

सूचना और प्रसारण मंत्री (श्री वसन्त साठे):

(क) जी, हां।

(ख) फिलहाल इस प्रकार का कोई प्रस्ताव सरकार के विचाराधीन नहीं है।

(ग) जी, नहीं।

Addition of Units at Bokaro Thermal Plant by D.V.C.

4344. SHRI B. V. DESAI: Will the Minister of ENERGY be pleased to state:

(a) whether the Damodar Valley Corporation is to add two units of 210 MW each to Bokaro Thermal Plant;

(b) if so, what will be the cost involved in these two units;

(c) how much has been approved by the Union Government for this purpose;

(d) whether any foreign assistance will be secured; and

(e) if o. to what extent?

THE MINISTER OF STATE IN THE MINISTRY OF ENERGY (SHRI VIKRAM MAHAJAN): (a) to (e). Two thermal units of 210 MW each are being installed by the Damodar Valley Corporation at Bokaro Thermal Plant at a cost of Rs. 186.93 crores which has been approved by the Public Investment Board. No foreign assistance is involved.

Number of Bangladesh and Pakistani Refugees Settled in Dandakaranya Project

4345. SHRI HARIHAR SOREN: Will the Minister of SUPPLY AND REHABILITATION be pleased to state:

(a) the total strength of the Bangladesh and Pakistan refugees settle down in Dandakaranya Project;

(b) the total number of settlement colonies constructed for their rehabilitation;

(c) the total amount of Central assistance granted to them in 1979-80 and 1980-81; and

(d) the details thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF SUPPLY AND REHABILITATION (SHRI P. K. THUNGON): (a) 24,846 displaced person families from former East Pakistan have been settled and are in position in the Dandakaranya Project;

(b) 420.

(c) and (d). The total amount of central assistance given to these settlers in Dandakaranya Project by way of loans and grants amounted to Rs. 88.48 lakhs during 1979-80 and Rs. 110.83 lakhs during 1980-81.

Supply of Indane Gas Cylinders to Port Blair

4346. SHRI MANORANJAN BHAKTA: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether Government have decided to supply cooking Indane gas cylinders in every District Headquarters in the country; and

(b) if so, what action has been taken to supply Indane gas cylinders to Port Blair; A & N Islands?

THE MINISTER OF PETROLEUM, CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI): (a) The present plans of the oil companies are to extend LPG (cooking gas) marketing facilities to all District Headquarter towns and towns with a population of one lakh first and 50,000 thereafter.

(b) The Indian Oil Corporation has been advised to open a gas agency at Port Blair.

Total Production of Crude

4347. SHRI MANORANJAN BHAKTA: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) what is the total production of crude in the country State-wise figures for the last three years; and

(b) what is the total quantity imported from outside and the cost incurred during the last three years?

THE MINISTER OF PETROLEUM, CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI): (a) and (b). A Statement is given below:—

I. Crude Oil Production

2	Qty. : Million Tonnes			
	Assam	Gujarat	Bombay High	Total
1978-79	4.08	4.24	3.31	11.63
1979-80	3.58	3.77	4.42	11.77
1980-81	1.71	3.81	4.99	10.51

II. Crude Oil Imports

	Qty. (Million Tonnes)	CIF value (Rs. crores)
1978-79	14.66	1251.71
1979-80*	16.12	2187.53
1980-81*	16.25	3301.68

* Provisional.

Pending Cases in A. & N. Courts

4348. SHRI MANORANJAN BHAKTA: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) how many Criminal and Civil cases are pending in the Subordinate Courts including District and Sessions

Judge Courts in the A&N Islands and since when, stating separately below one year, below two years, below 3 years, below 4 years, below 5 years and above five years mentioning each court where these are pending; and

(b) how many cases other than excise, motor vehicle and other allied petty cases, have been disposed of in

the Chief Judicial Magistrate's Court and the Courts of Magistrates First Class in A&N Islands since last three years, year-wise?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI P. SHIV SHANKAR): (a) and (b). Information is being collected, and the same will be laid on the Table after the receipt of the same.

Recommendations of Hathi Committee for Abolition of Brand Names

4349. SHRI MOHAN BHAI PATEL: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether Hathi Committee have recommended for the abolition of brand names;

(b) whether it is a fact that the said recommendations have not been implemented; and

(c) if so, what are the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM, CHEMICALS AND FERTILIZERS (SHRI DALBIR SINGH): (a) to (c). As part of the 1978 Drug Policy, a decision was taken to abolish brand names in respect of five drugs on an experimental basis and to ensure that all single ingredient drugs newly introduced in the country shall be marketed only in generic names. The Ministry of Health and Family Welfare issued the necessary notification in January 1981 amending the relevant provisions of Drugs and Cosmetics Rules to implement the above decision. Some drug firms have challenged the legal validity of the January 1981 Notification of the Ministry of Health through writ petitions in the Delhi High Court. Hence the matter is sub-judice at present.

Permit System for Coal

4350. SHRI MOHAN BHAI PATEL: Will the Minister of ENERGY be pleased to state:

(a) whether there is any proposal under the consideration of Government to abolish the permit system of coal and make free trade in the sale of coal;

(b) if so, what are the details thereof;

(c) what is the present system of distribution of coal in the various States and Union Territories followed by the Coal India Limited and other companies; and

(d) what are the guidelines or instructions issued by Government in regard to distribution of coal?

THE MINISTER OF STATE IN THE MINISTRY OF ENERGY (SHRI VIKRAM MAHAJAN): (a) to (d). The distribution of coking coal used for metallurgical purposes alone is controlled and it is regulated by the Coal Controller. There is no statutory control in regard to distribution of other varieties of coal and coke. However, due to constraints in regard to transportation capacity; railway wagons are allotted for movement of coal under a system of sponsorship. Coal India also offers coal for movement by road against shortfalls in rail despatches. Soft coke is released only on the basis of sponsorship issued by the State Governments.

Public sector units are also supplied coal under the sponsorship system in accordance with their requirements.

On account of improved availability of coal resulting from increased production, coal of inferior grades in substantial quantities has been put on sale free of restrictions in a large number of identified collieries. Coal India has also recently introduced a system of release of superior grades of coal to new consumers on such consumers furnishing the prescribed documentation relating to their actual requirements of coal.

U.P.S.C. Advertisement to newspapers published from district headquarters of Maharashtra

4351. PROF. MADHU DANDAVATE: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) whether prominent daily newspapers published from the district headquarters of Maharashtra received UPSC advertisements;

(b) if so, what are the names of such newspapers; and

(c) whether these district daily newspapers which have a fairly good

circulation are proposed to be offered UPSC advertisements?

THE DEPUTY MINISTER IN THE MINISTRY OF INFORMATION AND BROADCASTING (KUMARI KUMUD BEN M. JOSHI): (a) and (b). Daily newspapers published from various District Headquarters of Maharashtra (as listed in the Statement) receive U.P.S.C. advertisements.

(c) It is not possible to use all District Newspapers in a State for U.P.S.C. advertisements because of publicity requirements as well as budgetary constraints.

Statement

Names of the daily newspapers published from Maharashtra which are presently getting UPSC advertisements

S. No.	Name of the Newspaper	Place of Publication
ENGLISH		
1.	Indian Express	Bombay
2.	Free Press Journal.	Bombay
3.	Nagpur Times	Nagpur
HINDI		
4.	Nav Bharat Times	Bombay (currently not accepting DAVP advertisements)
5.	Navabharat	Nagpur
MARATHI		
6.	Loksatta	Bombay
7.	Maharashtra Times	Bombay (currently not accepting DAVP advertisements)
8.	Sakal	Poona
8.	Kesari	Poona
10.	Tarun Bharat	Poona
11.	Tarun Bharat	Nagpur
12.	Lokmat	Nagpur/Jalgaon
13.	Pudhari	Kolhapur
14.	Marathwada	Aurangabad
15.	Gavakari	Nasik
GUJARATI		
16.	Bombay Samachar	Bombay
17.	Janambhoomi	Bombay
18.	Jame-Jarabad	Bombay
URDU		
19.	Inquilab	Bombay
20.	Urdu Times	Bombay
SINDHI		
21.	Hindustan	Bombay

Amendment in MRTP Act on De-concentration of Wealth

4352. PROF. MADHU DANDA-VATE: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether there is any move to amend the existing MRTP Act so as to ensure that process of deconcentration of wealth is encouraged; and

(b) if so, which are the sections of the MRTP Act which need expeditious amendment?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI P. SHIV SHANKAR): (a) and (b). The High Powered Expert Committee on Companies and Monopolies and Restrictive Trade Practices Acts (Sachar Committee) has, inter-alia made various recommendations for the amendment of the Monopolies and Restrictive Trade Practices Act in order to achieve the socio-economic objectives of the Monopolies and Restrictive Trade Practices Act in a fuller measure, certain amendments to the said Act are presently under active consideration. As soon as Government has finalised its views on the above recommendations, a Bill for amending the MRTP Act will be introduced in the Parliament.

Areas to be covered by Rural Electrification Schemes in Karnataka

4353. SHRI G. Y. KRISHNAN: Will the Minister of ENERGY be pleased to state:

(a) what are the details of the areas which are proposed to be covered under the rural electrification scheme in the State of Karnataka and

(b) the time by which the work on the schemes is likely to start?

THE MINISTER OF STATE IN THE MINISTRY OF ENERGY (SHRI VIKRAM MAHAJAN): (a) and (b). There are in all 26,826 inhabited villages in the State of Karnata-

taka. 16,266 villages were electrified up to the end of March, 1980. For the Sixth Plan period (1980—85) a target of electrification of 3,090 villages has been fixed for the entire State, out of which since the beginning of the Sixth Plan, 575 villages have been covered up to the end of May, 1981 bringing the total number of villages electrified in the State to 16,841.

The Rural Electrification Schemes are being formulated and executed by the State Electricity Board either under the Normal Development Programme or under schemes financed by Rural Electrification Corporation. So far as Rural Electrification Corporation is concerned, out of 171 Rural Electrification Schemes sanctioned by Corporation upto August, 1981, 170 Schemes for which one or more instalments of loan have been drawn are at different stages of execution. The work for the remaining one scheme is to be started by Karnataka Electricity Board after drawing the first instalment of the loan before 31-3-1982. The details of the areas covered under these schemes are shown in the Statement—I enclosed.

Besides the above schemes, as on 30th June, 1981, 17 Rural Electrification Schemes involving loan outlay of Rs. 7.73 crores received from Karnataka Electricity Board were at various stages of examination in the Corporation and/or had been referred back to Karnataka Electricity Board and were pending with them for revision/clari-fication. The details of the areas covered under these schemes are indicated in the Statement—II enclosed.

Statement I

Details of schemes sanctioned in Karnataka by R. E. C. upto 31-8-1981.

Sl. No.	Name of RE Schemes, Block/Talukas	District	No. of Villages covered
1	2	3	4
1.	Chickballapur Taluk	Kolar	20
2.	Indi Taluk	Bijapur	32
3.	Raibag Taluk	Belgaum	27
4.	Athani Taluk	Belgaum	18
5.	Hukeri Rural Electric Co-operative Society . . . . .	..	87
6.	Siddlaghata & Bagopali Taluks	Kolar	26
7.	Ranibennur	Dharwar	42
8.	Manndargi Taluk.	Dharwar	27
9.	Alland & Afazalpur Taluks	Gulbarga	111
10.	Ramanagaram & Kankapura taluks of Bangalore	Bangalore	125
11.	Gadag & Ron taluks	Dharwar	46
12.	Aurad Taluk	Bidar	89
13.	Karkala Taluk	S. Panara	20
14.	Hiryut & Challaprt q.s.	Chitradurga	32
15.	Tiptur Taluk	Tumkur	65
16.	Chikodi Taluk	Belgaum	38
17.	Koppal Taluk	Raichur	40
18.	Gangavati Taluk	Raichur	57
19.	Sindogi Taluk	Bijapur	35
20.	Belur Taluk	Hassan	83
21.	Bellari & Sandur tq.s.	Bellary	41
22.	Pevaguda Taluk	Tumkur	25
23.	Bidar Taluk.	Bidar	34
24.	Coondapur Taluk.	S. Kanara	26
25.	Belgaum Taluk	Belgaum	46
26.	Kolar Taluk	Kolar	57
27.	Hungund Taluk	Bijapur	51
28.	Nagamuangla taluk	Mandya	141

1	2	3	4
29.	Kollegal taluk	Mysore	87
30.	Ankola taluk	N. Kanara	39
31.	B. Bagewada taluk	Bijapur	36
32.	Besrakalyan taluk	Bidar	40
33.	Badami taluk	Bijapur	35
34.	Bhalki taluk	Bidar	52
35.	Hirekeur taluk	Dharwar	23
36.	Raichur taluk	Richur	48
37.	Malur & Balgarpet	Kolar	..
38.	Mercara taluk	Coorg	45
39.	H. D. Kote taluk	Mysore	118
40.	Taikera block	Chickmangalur	33
41.	Indi taluk	Bijapur	6
42.	Yellopur taluk	N. Kanara	32
43.	Hosanagara taluk	Shimoga	125
44.	Supa taluk	N. Kanara	41
45.	Nugghallin taluk	Hassan	71
46.	C. R. Patnam taluk	Hassan	142
47.	Shikaripur block	Shimoga	73
48.	Neamangala taluk	Bangalore	91
49.	Sindagi taluk	Bijapur	7
50.	Chitapur block	Gulbarga	78
51.	Sedam taluk	Gulbarga	65
52.	Hangal taluk	Dharwar	84
53.	Kumta taluk	N. Kanara	79
54.	Somvarpet taluk	Coorg	77
55.	Sagar taluk	Shimoga	18
56.	Bailhongal taluk	Belgaum	33
57.	Soundatti taluk	Belgaum	30
58.	Madhungiri taluk	Tumkur	..
59.	Sira taluk	Tumkur	—
60.	Khanpur block	Belgaum	136
61.	Bengarpet taluk	Kolar	6
62.	Gokak taluk	Belgaum	18

1	2	3	4
63.	Mudeebbihal taluk	Bijapur	101
64.	Madakere taluk	Chitradurga	9
65.	Shorapur taluk	Gulbarga	148
66.	Koujalgi taluk	Belgaum	24
67.	Baikampady taluk	S. Kanara	..
68.	Srinivasapura taluk	Kolar	..
69.	Chamarajanagar block	Mysore	..
70.	Chamarajanagar (LT scheme)	Mysore	..
71.	Buntwal taluk	S. Kanara	8
72.	Narasimharajpura	Chikmangalur	..
73.	Bangalore (LTC)	Bangalore	..
74.	Hubli (LTC)	Dharwar	..
75.	Bhatakai taluk	North Kanara	17
76.	Srinivasapura LT	Kolar	..
77.	Mulbagar SI	Kolar	..
78.	Chikkaballapur LT	Kolar	..
79.	Koratagere LT	Kolar	..
80.	Jewargi taluk	Gulbarga	51
81.	Jewargi-II taluk	Gulbarga	30
82.	Dharwar taluk	Dharwar	57
83.	Byadgi taluk	Dharwar	23
84.	Lingsugur taluk	Raichur	7
85.	Gubbi ST	Tumkur	..
86.	Koratagere SI	Tumkur	..
87.	Kushtagi taluk	Raichur	84
88.	Gokak-III taluk	Belgaum	5
89.	Belwadi taluk	Mysore	..
90.	Peenya taluk	Bangalore	..
91.	Shirahatti taluk	Dharwar	20
92.	Neelamgangala taluk	Bangalore	24
93.	Hunsu taluk	Mysore	76
94.	Nippani taluk	Belgaum	9
95.	Chikodi taluk	Belgaum	..
96.	Raibagh taluk	Belgaum	14

1	2	3	4
97.	Athani taluk	Belgaum	6
98.	Athani-II taluk	Belgaum	4
99.	Bommasandra taluk	Bangalore	—
100.	Magadi taluk	Bangalore	100
101.	Krishnarajapet taluk	Mandya	74
102.	Deodurg taluk	Raichur	87
103.	Belgaum SPD	Belgaum	5
104.	Gulbarga SPD	Gulbarga	12
105.	Dharwar SPD	Dharwar	1
106.	Bagewadi taluk	Bijapur	5
107.	Yelburga taluk	Raichur	8
108.	Bijapur taluk	Bijapur	11
109.	Sindagi taluk	Bijapur	19
110.	Sagar taluk	Shimoga	72
111.	Sindagi-II	Bijapur	10
112.	Bijapur taluk	Bijapur	13
113.	Indi taluk	Bijapur	20
114.	Yelburga taluk	Raichur	16
115.	Mudalgera taluk	Chikmangalur	19
116.	Raibag taluk	Belgaum	..
117.	Aurad taluk?	Bidar	202
118.	Harapanhalli taluk	Bellary	9
119.	Yelburga taluk	Raichur	44
120.	Malavalli taluk	Mandya	14
121.	Soudatti taluk	Belgaum	17
122.	Indi taluk	Bijapur	15
123.	Mudargi taluk	Dharwar	5
124.	Channapatna taluk	Bangalore	23
125.	Sidhanpur taluk	Raichur	17
126.	Kalytgi taluk	Dharwar	33
127.	Sornb taluk	Shimoga	145
128.	Turuvekkere taluk	Tumkur	68
129.	Bijapur taluk	Bijapur	5
130.	Shiggaon taluk	Dharwar	39

1	2	3	4
131. Yadgir taluk	.	Gulbarga	51
132. Virajpet taluk	.	Coorg	12
133. Ron taluk	.	Dharwar	..
134. Billhongal taluk	.	Belgaum	8
135. Hadgalli block	.	Bellary	..
136. Ankal taluk	.	Bangalore	..
137. Hiriyur taluk	.	Chitradurga II	11
138. Kolar	.	Kolar	..
139. Koppa taluk	.	Chikmangalur	..
140. Nagmangala taluk	.	Mandya	27
141. K. R. Nagar taluk	.	Mysore	31
142. Bidar taluk	.	Bidar	..
143. Afzalpur taluk	.	Gulbarga	2
144. Chitradurga HB	.	Chitradurga	90
145. Kolar HB	.	Kolar	36
146. Bellary HB	.	36	..
147. Chitradurga HB	.	Chitradurga	36
148. Chickmangalur HB	.	Chickmangalur	73
149. Kolar HB	.	Kolar	92
150. Mandya HB	.	Mandya	8
151. Bijapur HB	.	Bijapur	3
152. Mysore HB	.	Mysore	6
153. Bangalore HB	.	Bangalore	43
154. Hassan HB	.	Hassan	8
155. Gulbarga HB	.	Gulbarga	25
156. North Kanara	.	North Kanara	23
157. Chickmangalur HB	.	Chickmangalur	35
158. Tumkur HB	.	Tumkur	85
159. Bellary HB	.	Bellary	52
160. Mandur HB	.	Mandya	64
161. Bangalore HB	.	Bangalore	71
162. Chitradurga HB	.	Chitradurga	54
163. Manari HB	.	Raichur	116
164. Tumkur HB	.	Kolar	48
165. Kolar HB	.	Kolar	114

1	2	3	4
166.	Bangarpet HB	Kolar	106
167.	Sirsi taluk	North Kanara	71
168.	Karwar taluk	North Kanara	40
169.	Siddapur taluk	North Kanara	114
170.	Chickmangalur	Chickmangalur	153
171.	Nagamangala taluk	Mandya	20

Statement II

Details of Schemes yet to be sanctioned as on 30-6-1981 and the areas covered thereunder.

Sl. No.	Name of Scheme (Taluk etc.)	District	No. of villages covered
1	Koppal Taluk	Raichur	12
2	Gulbarga Taluk	Gulbarga	135
3	Belgaum Taluk	Belgaum	37
*4	Nagamangala Taluk	Mandaya	20
5	Humnabad Taluk	Bidar	27
6	Srinivasapur Taluk	Kolar	289
7	Chintamani Taluk	Kolar	197
8	Siddalaghata Taluk	Kolar	234
9	Challakere Taluk	Chitradurga	87
10	Challakere Taluk	Chitradurga	79
11	Arisekere Taluk-I	Hassan	161
12	Arisekere Taluk-II	Hassan	116
13	Arisekere Taluk-III	Hassan	58
14	Harihar, Davangere & Rannehannur Taluk of Chitradurga		..
15	Mulbagal Taluk (South)	Kolar	153
16	Malur Taluk (North)	Kolar	142
17	Belthangadi Taluk.	South Kanara	73

*The scheme has been sanctioned in August 1981 and is included at Serial No. 171 in Annexure-I

Non-Utilisation of X-Ray Machines procured for Baira Siul, Salal and Loktak project

4354. SHRI KAMLA MISHRA MADHUKAR: Will the Minister of ENERGY be pleased to state:

(a) how many X-ray machines were procured for Baira Siul, Salal and Lok-tak Projects with the date of purchase, the cost of each machine and the place of its functioning;

(b) how many X-ray prints have been taken on each machine since its purchase;

(c) is it a fact some X-ray machines are idle since their purchase and lying in the locked rooms and the employees are not getting any benefit from them;

(d) if the answer to above be in the affirmative, who is responsible for the non-utilisation of the public property and what are the reasons that the purpose for which these machines were purchased is not being fulfilled for years together; and

(e) the action taken against the defaulting officers?

THE MINISTER OF STATE IN THE MINISTRY OF ENERGY (SHRI VIKRAM MAHAJAN): (a) to (e). The information is being collected and will be laid on the Table of the House.

Pay Scales of Postal Clerks

4355. SHRI BAPUSAHEB PARULEKAR: Will the Minister of COMMUNICATIONS be pleased to state:

(a) are Government aware that the pay scale of Postal clerk ends at Rs. 480 at the age of 40 years with still 18 years of service left without any addition of pay;

(b) are Government aware that as there are no incentives to postal clerks

after 18 years of service their competency is seriously affected;

(c) whether under the circumstances, Government propose to revise their pay scales so that it runs throughout the span of service life; and

(d) if not, the reasons?

THE MINISTER OF STATE IN THE MINISTRY OF COMMUNICATIONS

SHRI KARTIK ORAON): (a) The pay Scales of Postal Clerk ends at Rs. 480/- after a span of 22 years and the age of the Government servant at that stage will depend on the age at which he entered the grade.

(b) After entering as postal clerk in the P&T Department, they have got opportunities to get promotion to lower selection grade. They have further avenues of promotion to higher posts in HSG-II and HSG-I and Postmaster in Group 'B'. In addition, after passing certain departmental examination they may become Inspector of Post Offices, Assistant Superintendent of Post Offices and Junior Accounts Officers and then gazetted officers.

(c) and (d). There is no proposal to revise their pay scale.

Shares of Bata Shoes Company

4356. SHRI SANAT KUMAR MANDAL: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether his attention has been drawn to the news item captioned 'Top Companies vying for Bata Shares, appearing in the *Financial Express*' New Delhi dated the 21st August, 1981;

(b) if so, which are these 3 groups who are in the field to acquire Bata's foreign share-holding;

(c) what is the amount of this share-holding and whether the whole or part

of it will be repatriated and if so, in which currency;

(d) whether any proposal has been submitted to his Ministry for the sale and acquisition of these shares and for clearance under the MRTP Act; and if so, what; and

(e) Government's reaction thereto and whether he would see that economic power is not further concentrated in the hands of any of these giants?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI P. SHIVSHANKAR): (a) and (b). Yes, Sir. As per this news item Tatas, Birlas and Thapars are stated to be trying to acquire Bata's foreign shareholding.

(c) to (e). Government has not received so far any proposal for the sale acquisition of the foreign shareholding in M/s. Bata India Limited. However any sale and acquisition of shares of this nature would normally require clearance of the Central Government under section 108A, 108B and 372 (4) of the Companies Act, 1956 and also under the provisions of Foreign Exchange Regulations Act. As and when such a proposal is received by Government the same will be considered on merits.

Expansion project of Bombay High LPG Phase-II at Uran.

4358. SHRI SANAT KUMAR MANDAL: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether the future of the Bombay High L. P. G. Phase II expansion project of Uran and speedier development of the ONGC base at NHAVA hinges on the recommendations of the Environmental Advisory Committee, whose members recently differed on the controversial sites;

(b) if so, the Committee's findings; and

(c) at what stage the project stands and how long will it take to commission it?

THE MINISTER OF PETROLEUM, CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI): (a) to (c). The Phase II expansion of the ONGC projects at Uran has been delayed slightly since the merits of locating this in the present Urban site of the ONGC which will require an additional 41 hectares that falls within the CIDCO's reserved area for developing a Regional Park, has been questioned on environmental planning grounds. Studies in this matter have been completed and a decision is expected to be taken very shortly.

राज्यों को डीजल, मिट्टी का तेल और उर्वरकों के कोटे का निर्धारण

4359. श्री रामावतार शास्त्री: क्या पेट्रोलियम, रसायन और उर्वरक मंत्री यह बताने की कृपा करेंगे कि:

(क) क्या केन्द्रीय सरकार राज्यों के लिए डीजल, मिट्टी के तेल और उर्वरकों का मासिक कोटा निर्धारित करती है;

(ख) यदि हां, तो क्या विभिन्न राज्य सरकारों ने जून, जुलाई, और अगस्त, के महीनों के लिए इन वस्तुओं की अपनी-अपनी मासिक आवश्यकता केन्द्र सरकार को बताई थी;

(ग) यदि हां, तो उसका राज्य-वार ब्यौरा क्या है; और

(घ) प्रत्येक राज्य को की गई इन वस्तुओं की मासिक सप्लाई का ब्यौरा क्या है?

पेट्रोलियम, रसायन और उर्वरक मंत्री (श्री प्रकाश चन्द्र सेठी): (क) हाई स्पीड डीजल (एच. एस. डी.) तेल और मिट्टी के तेल के सम्बन्ध में राज्य/संघ शासित प्रदेशों को मासिक आवंटन केन्द्रीय सरकार द्वारा किया जाता है। जहां तक उर्वरकों का सम्बन्ध है, कोई मासिक आवंटन नहीं किया जाता है। प्रत्येक फसल मौसम अर्थात् खरीफ और रबी के लिए उर्वरकों की आवश्यकता का मूल्यांकन केन्द्रीय सरकार द्वारा प्रत्येक फसल मौसम से पूर्व आयोजित क्षेत्रीय सम्मेलनों में राज्य सरकारों के प्रामर्श से किया जाता है।

(ब) से (घ) : जून-अगस्त 1981 की अवधि की एच. एस. डी. और मिट्टी के तेल की राज्यवार मासिक आवश्यकताएं बताना सम्भवा नहीं है। तथापि, विवरण-पत्र, जिसमें जून-जुलाई 1981 की अवधि के लिए राज्यों को की गई हाई स्पीड डीजल तेल और मिट्टी के तेल की सप्लाई सम्बन्धी व्यापार दिखाये गये हैं, संलग्न हैं।

खरीफ फसल 1981 (फरवरी-जुलाई 1981) के लिए भिन्न भिन्न राज्यों आदि

की आवश्यकताओं तथा भिन्न भिन्न राज्यों द्वारा उठाया गया माल/वास्तविक सप्लाई के सम्बन्ध में एक विवरण-पत्र भी संलग्न है।

अगस्त 1981 के लिए एच. एस. डी. और मिट्टी के तेल की बिक्री और उर्वरकों की सप्लाई के आंकड़े अभी उपलब्ध नहीं हैं।

विवरण-I

विभिन्न राज्यों/संघ शासित प्रदेशों में जून और जुलाई 1981 के महीनों में हुए हाई स्पीड डीजल (एच0 एस0 डी0) तेल और मिट्टी के तेल की बिक्री दिखाने वाला विवरण-पत्र

क्रम संख्या	राज्य/संघ शासित प्रदेश	हाई स्पीड डीजल		आंकड़े मी० टनों में	
				मिट्टी का तेल	
		जून 81	जुलाई 81	जून 81	जुलाई 81
		(अस्थायी)		(अस्थायी)	
1.	आन्ध्र प्रदेश	61,530	61,416	23,846	26,413
2.	अरुणाचल प्रदेश	351	351	280	241
3.	अण्डमान और निकोबार	511	110	72	90
4.	असम	9,949	10,079	8,488	9,705
5.	बिहार	35,994	28,922	20,022	21,378
6.	चण्डीगढ़	1,430	1,696	730	729
7.	दादरा और न० हावेली	405*	**	139*	**
8.	दिल्ली	25,030	25,565	9,040	10,826
9.	गुजरात	56,316	42,822	31,952	33,354
10.	गोवा दमन और दीव	3,443	4,950	1,051	1,250
11.	हरियाणा	26,440	29,176	6,230	7,603
12.	हिमाचल प्रदेश	4,270	4,198	1,110	1,409

(ग्रांकिडे मी० टनों में)

क्रम संख्या	राज्य/संघ शासित प्रदेश	हाई स्पीड डीजल		मिट्टी का तेल	
		जून, 81	जुलाई, 81 (ग्रस्याई)	जून 81	जुलाई, 81 (ग्रस्याई)
13.	जम्मू और कश्मीर	7,260	6,774	2,370	2,493
14.	कर्नाटक	38,695	39,891	19,934	19,985
15.	केरल	22,435	24,967	11,078	11,023
16.	मध्य प्रदेश	38,670	31,998	16,414	17,237
17.	महाराष्ट्र	1,00,798	92,715	65,882	71,625
18.	मणिपुर	582	611	833	833
19.	मेघालय	885	588	568	541
20.	मिजोरम	273	242	376	396
21.	नागालैण्ड	783	518	338	331
22.	उड़ीसा	13,108	12,209	6,071	6,826
23.	पंजाब	53,250	53,283	13,950	13,732
24.	पांडीचेरी	2,060	1,000	513	561
25.	राजस्थान	42,580	38,416	9,190	11,126
26.	सिक्किम	317	280	239	333
27.	तामिलनाडु	87,081	77,130	28,857	29,776
28.	त्रिपुरा	715	880	959	1,049
29.	उत्तर प्रदेश	83,720	68,034	34,880	35,921
30.	पश्चिम बंगाल	42,101	45,349	32,948	32,292
31.	लक्षद्वीप	एन० ए०	एन० ए०	एन० ए०	एन० ए०
योग		7,60,982	7,04,170	3,48,370	3,69,078

एन० ए० का अर्थ उपलब्ध नहीं है ।

* दमन और द्वीव में की गई बिक्री शामिल है ।

दर ** बिक्री के ग्रांकिडों में शामिल की गई है ।

विवरण—II

अप्रैल 1981 के दौरान उर्वरकों की शुद्ध आवश्यकता और सप्लाई दिखाने वाला एक विवरण-पत्र (फरवरी—जुलाई)

(आंकड़े मी० टनों में)

क्रम संख्या	राज्य/संघ शामिल प्रदेशों के नाम	शुद्ध आवश्यकताएं (एन०पी०के०)	सप्लाईज (एन०पी०के०)
1	2	3	4
1.	आन्ध्र प्रदेश . . .	282715	311700
2.	तमिलनाडु . . .	229900	185412
3.	कर्नाटक . . .	260700	229041
4.	केरल . . .	59471	61887
5.	पांडीचेरी } . . .	6710	6135
6.	नहराष्ट्र } . . .	311805	343260
7.	गुजरात . . .	236688	179695
8.	गोवा, दमन और दीऊ . . .	3704	2791
9.	मध्य प्रदेश . . .	111606	123872
10.	राजस्थान . . .	78514	49341
11.	पंजाब . . .	273954	226579
12.	हरियाणा . . .	100446	97276
13.	उत्तर प्रदेश . . .	436949	370492
14.	हिमाचल प्रदेश . . .	12649	7190
15.	जम्मू और कश्मीर . . .	25410	21314
16.	दिल्ली . . .	2232	1194
17.	पश्चिम बंगाल } . . .	144650	105118
18.	बिहार . . .	75725	118903
19.	उड़ीसा . . .	44736	30901
20.	असम . . .	12210	10532
21.	मेवालय . . .	2334	1143
22.	त्रिपुरा . . .	2519	2401
23.	मणिपुर . . .	3583	2654
24.	नागालैण्ड . . .	331	563
25.	मिजोरम . . .	107	..
26.	दादरा और नं० हावेली . . .	114	51

क्रम पंक्ति	राज्य/संघ शासित प्रदेशों आदि के नाम	शुद्ध आधिकारिकताएं (एन. पी. के. ०)	रुपयाई (एन. पी. के. ०)
27	चण्डीगढ़	377	65
28	ए. और एन. आईलैण्ड्स	106	..
29	अरुणाचल प्रदेश	220	39
30	निककन	610	514
31	काफी बोर्ड	33000	10872
32	रवड़ बोर्ड	7150	2402
33	कार्डमोम बोर्ड	2640	239
34	टी. बोर्ड (साऊथ)	13200	5316
35	टी. बोर्ड (नार्थ ईस्ट)	25807	13712
36	ग्रान्. सी. एफ. ट्राम्वे . . . . .	..	9521
37	मैट्रल स्टेट फार्म्स कारपोरेशन . . . . .	..	651
योग		2802902	2532777

Opening of a Head Post Office at Ichalkaranji, Kolhapur (Maharashtra)

4360. SHRI N. K. SHEJWALKAR: Will the Minister of COMMUNICATIONS be pleased to state:

(a) whether the Deputy Minister of Communications has received a representation dated 28th December, 1980 and a subsequent representation from the Secretary, Bharatiya Postal Employees Union, Class III Branch, Kolhapur (Maharashtra) regarding the opening of a Head Post Office at Ichalkaranji, Kolhapur (Maharashtra);

(b) if so, the details thereof;

(c) what action has so far been taken by Government/the concerned authorities in the matter; and

(d) if no action has so far been taken, the reasons for the delay and when the action shall be taken?

THE MINISTER OF STATE IN THE MINISTRY OF COMMUNICATIONS (SHRI KARTIK ORAON): (a) and (b). Yes, Sir. A copy of a representation dated 28-12-80 from the Secretary, Bhartiya Postal Employees Union

Class-III, Kolhapur Branch, Addressed to Deputy Minister (Communications) regarding opening of a Head Post Office at Ichalkaranji was received.

(c) and (d). At present the policy of the Department regarding opening of new Head Post Office by upgradation of Sub Post Offices is under review in the context of conversion of Extra Departmental Branch Post Offices to Extra Departmental Sub-Post Offices solely on the basis of provision of Public Call Office facility. The proposal for Opening of Head Post Office at Ichalkaranji will be considered after the said review has been carried out and decision thereon taken.

Demand from Postal Employments Regarding Exemption from the Professional Tax of State Government

4361. SHRI CHATURBHUIJ: Will the Minister of COMMUNICATIONS be pleased to state:

(a) whether it is a fact that there is a constant demand from the Postal employees that they should be exempted from 4th professional tax of State Governments;

(b) if so, since when;

(c) what action have the Postal authorities taken or propose to take in the matter; and

(d) what are the difficulties in the proposal and remedies thought of to overcome them?

THE MINISTER OF STATE IN THE MINISTRY OF COMMUNICATIONS (SHRI KARTIK ORAON): (a) Yes, Sir, there have been some demands in the past.

(b) These demands were first received during 1974-75.

(c) The demand was examined but not considered justified.

(d) This being a State subject it is not found justified to direct State Governments in this regard.

Demand for Postal Directorate of Aurangabad

4362. SHRI CHATURBHUIJ: Will the Minister of COMMUNICATIONS be pleased to state:

(a) whether there is a long-standing demand for the postal Directorate at Aurangabad, Maharashtra;

(b) since when this demand is being made;

(c) what is the reasoning submitted in favour of it;

(d) what action has been taken by the concerned authorities on the said demand;

(c) whether it is a fact that the said Directorate being for Marathwada is established and kept at Nagpur at a distance of about 700 Kms. from Aurangabad; and

(f) whether Government propose reconsidering the whole position and if so, when?

THE MINISTER OF STATE IN THE MINISTRY OF COMMUNICATIONS (SHRI KARTIK ORAON): (a) to (d). A demand was made in February, 1981 for locating the headquarters of one of the Directors of Postal Services in

Maharashtra Circle at Aurangabad. The matter is under examination.

(e) and (f). The posts of Director of Postal Services are created on the basis of norms as laid down by the Department. The headquarters of Directors are decided by taking into account the operational needs of the Circle. The Director of Postal Services whose headquarters is at Nagpur also controls Postal Divisions in Marathwada region.

Recruitment of Class III Employees in Maharashtra Circle.

4363. SHRI CHATURBHUIJ: Will the Minister of COMMUNICATIONS be pleased to state:

(a) total number of class III employees in Maharashtra circle in the year 1979-80; direct recruits;

(b) the number of such employees who left the department in 1980-81;

(c) the reasons for leaving the postal Department by such employees; and

(d) remedy proposed or thought of?

THE MINISTER OF STATE IN THE MINISTRY OF COMMUNICATIONS (SHRI KARTIK ORAON): (a) to (d). The information is being collected and the same will be placed on the Table of the House as soon as the same is received.

Construction of staff quarters for Postal Employees at Aurangabad

4364. SHRI CHATURBHUIJ: Will the Minister of COMMUNICATIONS be pleased to state:

(a) whether it is a fact that the staff quarters for Postal Employees are sanctioned to be constructed at Aurangabad, Maharashtra during the period of 1980-81;

(b) if so, the estimated amount thereof;

(c) how many tenements are to be constructed under the project;

(d) what is the progress made so far;

(e) how much amount is expended, uptill now; and

(f) when all these projected staff quarters are likely to be completed?

THE MINISTER OF STATE IN THE MINISTRY OF COMMUNICATIONS (SHRI KARTIK ORAON): (a) Sanction for construction of staff quarters has been issued during the year 1980-81.

(b) Rs. 34,69,300/-.

(c) Sixty one. These quarters will be shared between the Postal and Telecom. wings of the Department.

(d) Tenders have been called for with date of opening as 16-9-1981.

(e) Nil.

(f) These staff quarters are likely to be completed in 1983-84.

Growth of energy during 1979-80, 1980-81 and April 1981 to August 1981

4365. SHRI BALASAHEB VIKHE PATIL: Will the Minister of ENERGY be pleased to state:

(a) the rate of growth of energy during the years 1979-80, 1980-81 and from April to August, 1981; and

(b) what steps Government have taken or propose to take to increase the power generation and capacity utilisation?

THE MINISTER OF STATE IN THE MINISTRY OF ENERGY (SHRI VIKRAM MAHAJAN): (a) The rate of growth of energy generation in the country during the year 1979-80, 1980-81 and from April to August, 1981 over the same periods in previous years has been 2.1 per cent, 5.7 per cent and 15.8 per cent respectively.

(b) In order to improve the power generation in the country and to im-

prove the performance of thermal power plants the following steps have been and are being taken:

(i) An additional generating capacity of 19666 MW is programmed to be added during the period 1980-85;

(ii) Number of steps have been taken to improve the operation and maintenance of existing thermal power plants with a view to maximising generation from the existing installed capacity. These steps include:

(a) assistance to the State Electricity Boards to undertake plant betterment programmes and better preventive maintenance schedule;

(b) identification of deficiency in design of equipments and taking up programme of their rectification and replacement;

(c) arranging timely supply of spare parts from indigenous and foreign suppliers;

(d) supply of adequate quantity of coal of right quality. Defaulting collieries are being identified and the representative of power stations posted there for joint sampling. Coal companies have been required to intensify hand picking of stones, shales and other extraneous materials so as to improve the quality. Coal companies have also been advised to install portable/permanent crushers at mines and undertake appropriate coal beneficiation programmes;

(e) undertaking training programmes for engineers and technical personnel entrusted with the operation and maintenance of power stations; and

(f) accelerated addition of new generating capacity in the system. Detailed monitoring of the construction schedules of all the on-going projects is being undertaken to ensure expeditious completion of the projects.

Kalamba Post Office, District Kolhapur (Maharashtra)

4366. **SHRI DAYARAM SHAKYA:** Will the Minister of COMMUNICATIONS be pleased to state:

(a) whether a representation has been received by the Deputy Minister of Communications in the month of March/April, 1981, regarding the Kalamba Post Office, District Kolhapur (Maharashtra);

(b) if so, the grievances made out and suggestions given, details thereof;

(c) what action Government or the concerned authorities have so far taken; and

(d) if no action has so far been taken, the reasons for the delay and when the action will be taken?

THE MINISTER OF STATE IN THE MINISTRY OF COMMUNICATIONS (SHRI KARTIK ORAON): (a) to (d). The information is being collected.

All India P.E.U. Class III Staff Branch, Kolhapur

4367. **SHRI DAYARAM SHAKYA:** Will the Minister of COMMUNICATIONS be pleased to state:

(a) whether the hon. Deputy Minister of Communications has received a memorandum dated 27th December, 1980 from President, AIPU Class III (including E.D. Staff) Branch Kolhapur (Maharashtra) regarding various demands;

(b) if so, the details of the demands so made;

(c) what action has so far been taken, in regard to the demand in the memorandum; and

(d) if no action has so far been taken, the reason for the delay and when action will be taken?

THE MINISTER OF STATE IN THE MINISTRY OF COMMUNICATIONS (SHRI KARTIK ORAON): (a) No such memorandum has been received by the P. & T. Department.

(b) to (d). Question does not arise.

Priority for extension of telephone connections to co-operative Bank in Maharashtra

4368. **SHRI R. K. MHALGI:** Will the Minister of COMMUNICATIONS be pleased to state:

(a) whether it is a fact that there is special category of priority for extending telephone connections for Co-operative Banks;

(b) if so, since when;

(c) what is the total number of applications of the Co-operative banks in Maharashtra pending for telephone connections for Co-operative Banks;

(d) how many of them are for more than one year and for more than six months; and

(e) what special efforts are being made to expedite the said pending applications?

THE MINISTER OF STATE IN THE MINISTRY OF COMMUNICATIONS (SHRI KARTIK ORAON): (a) No, Sir.

(b) to (e). Does not arise in view of (a) above.

Setting up a unit for production of Video films

4369. **SHRI S. M. KRISHNA:** Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) whether there is any plan under consideration of Government to set up a unit for production of Video films;

(b) if so, the broad details thereof; the foreign collaboration envisaged; and

(c) how long will it take to set up this unit?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI VASANT SATHE): (a) to (c). While Government have no plan under their consideration to set up an independent unit for production of video films, National Film Development Corporation

Ltd., Bombay—a public sector enterprise under this Ministry—have prepared a scheme for setting up a unit for transferring films on to video cassettes. The likely capital investment in the project is expected to be of the order of Rs. 70 lakhs. The scheme is under consideration of the Government and its implementation will depend upon the economic viability of the project and other related factors.

Definition of corporate inter-connections

4370. SHRI S. M. KRISHNA: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether Government are contemplating to make the definition of corporate inter-connections under the M.R.T.P. Act more restrictive; and

(b) if so, the salient features of the proposal?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI P. SHIV SHANKAR): (a) and (b). The High Powered Expert Committee on corporate laws (Sachar Committee) has made various recommendations for the amendment of the Monopolies and Restrictive Trade Practices Act, 1969. The issue relating to corporate inter-connections also figures therein. In order to achieve the socio-economic objectives of this Act in fuller measure, certain amendments to the said Act are under active consideration of Government. A final decision on these subjects has, however, yet to be taken.

Management change in Madras Petro-Chemicals Limited

4371. SHRI S. M. KRISHNA: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether a management change in Madras Petro-Chemicals Limited has been initiated;

(b) if so, with which company its merger is contemplated; and

(c) the reasons for the proposed merger or take-over?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI P. SHIV SHANKAR): (a) The change in the management is basically the function of a Company. However, from the relevant return filed by M/s. Madras Petro-Chemicals Limited with the Registrar of Companies, Maharashtra, it is seen that the present Managing Director, Shri M. Rama Brahman, who is scheduled to retire from 30-11-1981, may proceed on leave with effect from 1-9-1981 and Shri S. Gopalan, a nominee Director of the IDBI has been appointed as Director-in-charge with effect from 1-9-1981.

(b) The Government has not been served with any notice regarding the merger of this Company with any other Company under the provisions of the Companies Act.

(c) Does not arise, in view of (b) above.

Opening of Public Call Offices and Telegraph Offices in the Country

4372 SHRI MATILAL HASDA: Will the Minister of COMMUNICATIONS be pleased to state:

(a) the number of Public Call Offices and Telegraph Offices opened during the last one year in the country State-wise details thereof; and

(b) number of P. C. Os. and T.Os to be opened during the current year, State-wise?

THE MINISTER OF STATE IN THE MINISTRY OF COMMUNICATIONS (SHRI KARTIK ORAON): (a) and (b) The information is given as per Statement.

Statement

Long Distance pubic Telephones and Combined (Telegraph) Offices opened during the year 1980-81 and proposed to be opened during the year 1981-82.

Sl. No.	Name of Circle	Opened during 1980-81		Targets for 1981-82	
		LD. PTs	CO's	LD. PTs	CO's
1	Andhra Pradesh	627	447	450	450
2	Bihar	222	222	400	400
3	Gujarat (including Gujarat, Dadra & Nagar Haveli, Diu, Daman).	79	102	50	50
4	Jammu & Kashmir	6	12	30	30
5	Karnataka	17	37	30	30
6	Kerala (including Mahe, Kerala and M'ndcoy Lakshadweep, Amindive Islands)	7	67	250	250
7	Madhya Pradesh	151	161	100	100
8	Maharashtra (including Goa and Maharashtra)	53	58	200	200
9	North-Eastern (including Assam, Tripura, Manipur, Meghalaya, Mizoram, Nagaland & Arunachal Pradesh.)	18	2	50	50
10	North-Western (including Haryana, Himachal Pradesh, Punjab and Chandigarh).	106	179	150	150
11	Orissa	52	52	40	40
12	Rajasthan	55	35	100	100
13	Tamilnadu (including Tamilnadu, Pondicherry)	362	402	150	150
14	Uttar Pradesh	439	486	500	500
15	West Bengal (including West Bengal, Sikkim & Andaman & Nicobar Islands)	57	59	300	300
16	Delhi . . . . .	..	6	..	..
TOTAL		2251	2327	2800	2800

New Coal Mines with Shorter Gestat-ion Period

4373. SHRI N. E. HORO: Will the Minister of ENERGY be pleased to state:

(a) whether Government realise the desirability of setting up new coal mines with shorter gestation period;

(b) if so, what are the names of places, State-wise, where these new coal mines are likely to be set up; and

(c) what will be the production targets of these coal mines?

THE MINISTER OF STATE IN THE MINISTRY OF ENERGY (SHRI VIKRAM MAHAJAN): (a) Yes, Sir.

(b) and (c). The following table shows the projects with relatively shorter gestation period:—

Name of the Project	State where located	Production capacity (million tonnes/annum)
EASTERN COALFIELDS LTD.		
1 Mandman Opencast	West Bengal	1.50
2 Kottadih Opencast	Do.	3.00
3 Kumarkhala, (Phase-II)	Do.	0.60
BHARAT COKING COAL LTD:		
4 Opencast Block. II	Bihar	2.50
5 Muraidih Opencast	Do.	2.50
CENTRAL COAL FIELDS LTD		
6 DPL Ramgarh Opencast	Do.	3.00
7 Markata Opencast	Do.	1.00
WESTERN COALFIELDS LTD.		
8 Jamuna Opencast (Reorganisation)	Madhya Pradesh	0.60
9 Belpahar Opencast	Orissa	2.00
10 Shivpuri Opencast (Expansion).	Madhya Pradesh	0.50

Telephone Training

4374. SHRI N. E. HORO: Will the Minister of COMMUNICATIONS be pleased to state:

(a) whether it is a fact that Government are imparting telephone training through the Telephone Training Centre, Kidwai Bhavan, New Delhi;

(b) if so, what are the details in regard to the fee charged, period and qualifications of candidates;

(c) whether Government give them any preference when there are vacancies in Government of India Departments;

(d) if not, the reasons thereof;

(e) whether during this season any candidate who has received diploma from the Kidwai Bhavan, New Delhi

has been absorbed are allowed to receive Telephone Training on a regular basis; and

(f) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF COMMUNICATIONS (SHRI KARTIK ORAON):
(a) Yes, Sir. This training is available for outsiders.

(b) The training fee is Rs. 245/- per candidate. The period of training is one month and the minimum qualification is Matriculation or equivalent.

(c) No.

(d) The training is imparted to equip the candidates for operating PMBX/PABX normally available in Public Undertakings or Private Companies and not to meet the require-

ment of P&T. The training imparted for P&T requirement to the regularly selected Telephone Operators is for a period of 3 months and is different.

(e) and (f). The question does not arise. Because appointment of regular basis as Telephone Operator is made after completion of formalities as prescribed in the Recruitment Rules on the basis of marks obtained by the candidates in Matriculation or equivalent examinations with additional weightage to higher academic qualifications and subject to passing of an aptitude test. The obtaining of certificate in Kidwai Bhavan has no role to play in the said selection of candidate for regular appointment as Telephone Operator.

Foreign Collaboration sought for Thermal Plants

4375. SHRI CHINTAMANI JENA: Will the Minister of ENERGY be pleased to state:

(a) whether Government of India have sought the collaboration of some foreign companies for the running and maintenance of the thermal power stations;

(b) if so, whether any team of experts has been sent to some foreign countries and if so, the details thereof; and

(c) the outcome of the talks held there by the team along with the agreement, if any, arrived at in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF ENERGY (SHRI VIKRAM MAHAJAN): (a) Government of India has not sought the collaboration of any foreign company for the running and maintenance of thermal power station in India. However, Soviet assistance has been sought for renovation and modernisation of 50/100 MW units of Russia supplied at Patratu, Obra and Harduaganj TPS.

(b) There is a proposal for deputing a team of Indian experts to USSR to study the operation and maintenance methods, organisation system for tech-

nical servicing and repair and to identify the training needs of thermal power stations.

(c) Does not arise.

News-item captioned "50 Thousand Workers Lose Jobs in Coal India"

4376. SHRI AJOY BISWAS: Will the Minister of ENERGY be pleased to state:

(a) whether his attention has been drawn towards the news-item appeared in the "Dally Desher Katha" dated 21st June, 1981 published from Agartala under the heading "50 thousand workers lose their job during the last five years in Coal India"; and

(b) if so, his reaction thereto?

THE MINISTER OF STATE IN THE MINISTRY OF ENERGY (SHRI VIKRAM MAHAJAN): (a) and (b). The information is being collected and will be laid on the Table of the House in due course.

Telephone Exchange at Bhadrak, District Balasore (Orissa)

4377. SHRI ARJUN SETHI: Will the Minister of COMMUNICATIONS be pleased to state:

(a) whether it is a fact that the present manual telephone exchange system at Bhadrak in the district of Balasore, Orissa State is quite inadequate to meet the growing demands of the people;

(b) if so, what are the specific steps Government envisage pending automation to meet such demands of the public; and

(c) whether the construction of departmental building for telephone exchange at Bhadrak will be over soon in the best interest of the people?

THE MINISTER OF STATE IN THE MINISTRY OF COMMUNICATIONS (SHRI KARTIK ORAON): (a) No, Sir. The capacity is sufficient to meet the existing demand.

(b) In view of the reply of (a) above, no comment.

(c) Yes; the building which is to be completed during 1982, will eventually house the automatic exchange.

D.E.T. office at Balasore (Orissa)

4378. SHRI ARJUN SETHI: Will the Minister of COMMUNICATIONS be pleased to state:

(a) whether a new Divisional Engineer Telegraph Office has been sanctioned at Balasore (Orissa);

(b) if so, the details thereof; and

(c) whether reorganisation of Telegraph Sub-divisions are being made in view of the D.E.T. office at Balasore?

THE MINISTER OF STATE IN THE MINISTRY OF COMMUNICATIONS (SHRI KARTIK ORAON): (a) Yes, Sir.

(b) Divisional Engineer Telegraph Office at Balasore has been formed recently by bifurcating the charge of Divisional Engineer Telegraph at Cuttack.

(c) Reorganisation of Telegraph Sub-Divisions has also been made and Sub-Divisions at Keonjhar, Balasore and Baripada have been placed under the Telegraph Engineer Division, Balasore.

Site for departmental building for Sub-Post Office at Bant, district Balasore (Orissa)

4379. SHRI ARJUN SETHI: Will the Minister of COMMUNICATIONS be pleased to state:

(a) what are the specific reasons which have delayed the selection of site for the departmental building of Bant Sub-Post Office in the district of Balasore (Orissa); and

(b) what specific steps are being taken for the early selection of site and the construction of the departmental building to meet the demands of the public?

THE MINISTER OF STATE IN THE MINISTRY OF COMMUNICATIONS (SHRI KARTIK ORAON): (a) and (b). The case of acquisition of a suitable site for construction of Bant Post Office was taken up with the State Revenue Authorities. The State Government had earlier agreed to offer a piece of land measuring 19 cents which was not sufficient for putting up a departmental building for the post office. Another site measuring 34 Decimal has since been selected on 24-6-81. Necessary action for acquiring this land for construction of departmental building for the Bant Sub-Post office is under progress.

Complaints against Agartala Station of All India Radio

4380. SHRI AJOY BISWAS: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) whether Government have received any complaint against the Agartala Station of All India Radio from the Chief Minister of Tripura;

(b) if so, details about the complaint of the Chief Minister; and

(c) what steps Government have taken so far in this regard?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI VASANT SATHE): (a) Yes, Sir.

(b) Chief Minister of Tripura has drawn attention to the discussions in the Tripura Legislative Assembly alleging, *inter alia*, that AIR Agartala does not give a proper coverage of the State Government's releases.

(c) Such matters are best resolved through the medium of the Programme Advisory Committee for AIR, Agartala, in which the State Government's official and local non-officials are represented. This suggestion has been conveyed to the Chief Minister. Meanwhile, AIR Agartala is giving due importance and coverage to the State Government's Statements and releases.

Talks held by Dy. I & B Minister in the Soviet Union

4381. **SHRI NAVIN RAVANI:** Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) whether the Deputy Information and Broadcasting Minister had talks with various Ministers, Government Officials and Organisations and individuals during her visit to Russia recently;

(b) if so, the details thereof;

(c) the outcome thereof, in particular, the agreements, if any, reached;

(d) the benefits to be derived by India therefrom; and

(e) how much expenses were incurred on her and the staff on journeys, D.A., T.A., accommodation and such others and the details thereof?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI VASANT SATHE): (a) and (b). Yes, Sir. The Dy. Minister of Information and Broadcasting, Kumari Kumud Joshi, visited Moscow to attend the 12th International Film Festival there as leader of the official delegation to the film festival. During her official visit to the USSR, DMIB held discussions with Mr. A. N. Maemedov, Vice-Chairman of the USSR State Committee on Radio and TV regarding exchange of Soviet Radio and TV programmes with AIR and Doordarshan. The Deputy Minister also called on Mr. P. T. Eramash, the Chairman of the USSR State Committee on Cinematography and discussed co-production of Indo-Soviet films under the Agreement on Cinematography. The Deputy Minister also met Mr. S. A. Losev, Director General, Tass and discussed India's role in the non-aligned news agencies pool.

(c) No formal agreements were entered into with the Soviet authorities during DMIB's visit.

(d) The benefits to be derived to India will help in strengthening cultural and educational ties between

India and USSR, especially in the field of Radio, TV and films.

(e) The Deputy Minister and her Private Secretary were treated as State guests for the duration of their stay in USSR. The following expenditure was incurred on airpassage by DMIB and her staff—Rs. 33,184/-; an amount of Rs. 3,837 was incurred on the purchase of gifts in India.

जिला सुरत के बेसोड में खाना पकाने की गैस के सिलिण्डरों की अनियमित सप्लाई

4382. **श्री छोटभाई गामित:** क्या पेट्रोलियम, रसायन और उर्वरक मंत्री यह बताने की कृपा करेंगे कि:

(क) क्या इस प्रकार की शिकायतें प्राप्त हुई हैं कि आजकल जिला सुरत के बेसोड में उपभोक्ताओं को गैस के सिलिण्डर प्राप्त नहीं हो रहे हैं, यदि हां, तो तत्संबंधी व्यापक क्या है और सिलिण्डरों के नियमित वितरण के लिए क्या व्यवस्था की गई है;

(ख) बेसोड में खाना पकाने की गैस के वितरण की एजेंसी की स्वीकृति हेतु कितने व्यक्तियों ने आवेदन किया है और उनके नाम क्या हैं; और

(ग) गैस के वितरण के लिये नई एजेंसियों को कब तक स्वीकृति प्रदान कर दी जाएगी ?

पेट्रोलियम, रसायन और उर्वरक मंत्री (श्री प्रकाश चन्द्र सेठी): (क) हिन्दुस्तान पेट्रोलियम कारपोरेशन जो सुरत में बेसोड नाम स्थान पर कुकिंग गैस (एल. पी. जी) का विपणन कर रहा है द्वारा एल. पी. जी. सिलिण्डरों के रिफिलों की सप्लाई में विलम्ब के सम्बन्ध में कुछ शिकायतें प्राप्त की गई थी। मैसर्स सुरत गैस ट्रान्सपोर्ट कम्पनी जो उस क्षेत्र में एल. पी. जी. का वितरण कर रही है को सेवाएं समाप्त किये जाने के कारण बेसोड में रिफिलों की सप्लाई में विलम्ब हुआ था। एच. पी. सी. एल. द्वारा एक नया उप-एजेंट

नियुक्त किये जाने के साथ समस्या का समाधान हो गया है ।

(ख) इस समय बेलोड में नये वितरकों की नियुक्ति का कोई प्रस्ताव नहीं है और इस सम्बन्ध में एच. पी. सी. एल. द्वारा कोई आवेदन-पत्र प्राप्त नहीं किया गया ।

(ग) प्रश्न नहीं उठता ।

Exhibition of Anti-Black Racial Demonstration in U.K. on T.V.

4383. PROF. MADHU DANDAVATE: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) whether it is true that in the Doordarshan news on 12th July, 1981 the anti-black racial demonstrations in U.K. were shown whereas the demonstrations against racialism staged on 12th July, 1981 before the U.K. High Commissioner's Office in New Delhi were completely blacked out; and

(b) if so, what were the reasons for this discrimination?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI VASANT SATHE): (a) and (b). A news item about racial riots in different parts of Britain was used in the 9.45 news programme, on July 12, 1981. A library film clip showing the background of the riots from 1968 to the present day was used in the same programme. This was done only to give perspective to the current riots. It showed that the extremist elements amongst the Whites in U.K. particularly the National Front and other extremist elements which are hardly represented in the British Parliament have been organising a sustained campaign against the immigrant groups since 1968 which had resulted in the widespread riots in 1968, 1977, 1979 and this year causing hardships to Indian and other Asians in Britain.

Doordarshan had no prior information about the demonstration in New Delhi in front of the UK High Commission on July 12, 1981. Therefore,

the item failed to find a place in the news programme. There is no question of any discrimination against any demonstration. Doordarshan always attempts to present a fair and balanced picture of news events. The 'event' was not covered due to non-availability of information about a demonstration being staged in front of UK High Commission.

Biennial Elections in Tamil Nadu

4384. SHRI A. NEELALOHITHADASAN NADAR: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) the details of the steps taken by the Election Commission of India to conduct the Biennial Election to the Legislative Council of Tamil Nadu from (1) Teachers Constituencies and

(2) Graduates Constituencies in April, 1982; and

(b) if not, the reasons thereof?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI P. SHIV SHANKAR): (a) and (b). The State of Tamil Nadu was put under President's Rule in 1976. Biennial elections to the Tamil Nadu Legislative Council from Graduates' and Teachers' constituencies could not be held that year. The two seats each from Graduates' and Teachers' constituencies which fell vacant in 1976 were filled in 1978. The term of six years of such members elected in 1978 will expire in 1984. No biennial elections from Graduates'/Teachers' constituencies to the Tamil Nadu Legislative Council are due in 1982.

News-Item Captioned 'How Power Projects are Delayed'

4385. SHRI SHILU SOREN: SHRI PIUS TIRKEY:

Will the Minister of ENERGY be pleased to state:

(a) whether his attention has been drawn to the news-item appeared in

'SUNDAY' of 12th July, 1981, captioned "How Power Projects are delayed";

(b) if so, whether this matter has been investigated and which multinational firm is behind this delay; and

(c) what action has been taken in this regard by Government?

THE MINISTER OF STATE IN THE MINISTRY OF ENERGY (SHRI VIKRAM MAHAJAN): (a). Yes, Sir.

(b) and (c). The letter dated 25-3-1980 issued by the DGTD indicating the names of certain firms as licensed to manufacture and supply and electronic range process control instruments was withdrawn by DGTD by their letter dated 7-10-1980. The representation of the multi-national company for the change of schedule of certain items of equipment for which they have been issued industrial licences earlier is under examination of the Department of Industrial Development.

Security of Deposits in Public Limited Companies

4386. SHRI DIGVIJAY SINH: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether Government have considered to place small depositors in Public Limited companies legally at par with those who have made secured deposits; and

(b) as a social measure, what do Government intend to do for the security of such depositors?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI P. SHIV SHANKAR): (a) and (b). The deposits with non-banking non-financial companies, which are governed by the provisions of Section 58A of the Companies Act, 1956, and the rules framed thereunder, are mainly unsecured, and are required to be so declared in the relevant advertisement inviting deposits which also indicates,

inter-alia that they rank *pari-passu* with other unsecured liabilities of the company.

The High Powered Expert Committee (Sachar Committee) which also reviewed the provisions of the Companies Act, 1956, has in its Report (a copy whereof was laid on the Table of House on 30-8-1978) observed that while the law cannot possibly afford protection beyond a certain limit to any single or special class of creditors of companies, certain measures recommended by them would be adopted to further safeguard the interest of the depositors generally. These recommendations are under consideration of the Government.

Interception of Mail in Karnataka

4387. PROF. MADHU DANDAVATE: Will the Minister of COMMUNICATIONS be pleased to state:

(a) whether it is a fact that relying on the Indian Telegraph Act of 1885 and the Indian Post Office Act of 1898 the DIG (Intelligence), Karnataka State sent a secret circular to all post-masters in Karnataka to intercept the mail to and from the persons listed by the Government.

(b) if so, what were the reasons for such interception of mail; and

(c) whether the Karnataka State Government had decided to prosecute the news papers which had published the secret circular of the DIG (Intelligence) Karnataka?

THE MINISTER OF STATE IN THE MINISTRY OF COMMUNICATIONS (SHRI KARTIK ORAON):

(a) Yes, Sir. The Karnataka State Government had sent a circular for handing over mails to the representatives of the police for certain personalities particularised in the order.

(b) Section 26 of the Indian Post Office Act of 1898 empowers the Central or State Government to intercept postal articles for public good.

(c) This information is not available with this Department as it relates to Police Department under Karnataka State Government.

Truks Burnt in Chandrapura Thermal Power Station

4388. SHRI RANJIT SINGH: Will the Minister of ENERGY be pleased to state:

(a) is it a fact that in 1977 and 1978 some trucks were burnt in Chandrapura Thermal Power Station (C.T. P.S.),

(b) if so, how many trucks were burnt and what are the names of their owners;

(c) is it a fact that some persons other than the truck owners had been given compensation in the form of steam, soft and slack coal; and

(d) is it a fact that those trucks were also insured and got compensation from insurance companies, thereby deriving double benefit?

THE MINISTER OF STATE IN THE MINISTRY OF ENERGY (SHRI VIKRAM MAHAJAN): (a) to (d). The information is being collected and will be laid on the Table of the House.

Biennial Election to Rajya Sabha and T. N. Legislative Council

4389. SHRI A. NEELALOHITHA-DASAN NADAR: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether Bureau for Parliamentary Work, Madras has written to the Election Commission about May-June, 1981 seeking to conduct the biennial Elections to (1) Rajya Sabha from Tamil Nadu and (2) Tamil Nadu Legislative Council during March-April, 1982 as scheduled;

(b) if so, the details thereof; and

(c) the action taken by the Election Commission thereon?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI P. SHIV SHANKAR): (a) and (b). An extract of letter dated 29th May, 1981 from Shri B. K. Balasubramanian styling as the Chief Executive, Bureau for Parliamentary Work, Madras to the Election Commission, is laid on the Table of the House. [Placed in Library. See No. LT-2833/81].

(c) The Election Commission had informed the applicant *inter alia* that under section 156(1) of the Representation of the People Act, 1951, the term of office of a member of the State Legislative Council elected at a biennial election shall be six years and under section 157(1) the term of office of such member shall commence on the date on which his name is notified in the official gazette under section 74 of the said Act. As the biennial elections to the Tamil Nadu Legislature Council from Graduates' constituencies could not be held in 1976, the two seats which fell vacant during that year were filled in 1978. The term of six years of the member selected in that year therefore commenced under section 157(1) from 21st April, 1978, i.e., the date on which the names of the elected members were notified under section 74 of the said Act. Biennial election to fill the two vacancies from Graduates' constituencies which occurred in 1978 were also held in April, 1978 and the names of the elected members were notified on the same date i.e. 2-4-1978: Accordingly, the six years terms of all the four members will expire on 20-4-1984.

गढ़वाल निर्वाचन में निर्वाचन अधिकारियों तथा अन्य व्यक्तियों द्वारा प्रस्तुत रिपोर्ट पर निर्वाचन आयोग द्वारा की गई कार्यवाही

4390. श्री मसफाक हुसैन: क्या बिधि, न्याय और कंपनी कार्य मंत्री यह बताने की कृपा करेंगे कि:

(क) क्या गढ़वाल में संसदीय उप-निर्वाचन से सम्बंधित निर्वाचन अधिकारियों और

अन्य कर्मचारियों ने सभी स्तरों पर अपने उच्च अधिकारियों के माध्यम से निर्वाचन आयोग तथा सरकार को निर्वाचन में हुई गड़बड़ी के बारे में रिपोर्ट भेजी है; यदि हां, तो इन रिपोर्टों पर सरकार और आयोग द्वारा क्या कार्यवाही की जा रही है;

(ख) क्या सरकार का विचार इन रिपोर्टों को प्रकाशित करने का है;

(ग) निर्वाचन में हुई गड़बड़ी की जांच कराने के लिए अपने सचिव के नेतृत्व में निर्वाचन आयोग द्वारा भेजे गये विशेष दल की रिपोर्ट के अनुसार जो निर्वाचन अधिकारी और कर्मचारी तथा अन्य व्यक्ति सभी स्तरों पर दोषी पाए हैं, उनके विरुद्ध आयोग ने सरकार से क्या कार्यवाही करने का प्रस्ताव किया है और इस संबंध में सरकार क्या कार्यवाही कर रही है; और

(घ) क्या सरकार का विचार इस संबंध में स्वतः पत्र जारी करने का है ?

बीबी, न्याय और कम्पनी कार्य मंत्री (श्री पी. शिवशंकर): (क) गढ़वाल संसदीय निर्वाचन क्षेत्र के रिटर्निंग आफिसर और सहायक रिटर्निंग आफिसरों ने निर्वाचन क्षेत्र में 14 जून, 1981 को मतदान के संचालन के संबंध में, निर्वाचन आयोग को विस्तृत रिपोर्ट प्रस्तुत की थी। रिपोर्ट तथ्यों के संबंध में है और वे निर्वाचन में हुई गड़बड़ी के संबंध में नहीं थी। सम्पूर्ण निर्वाचन क्षेत्र में पुनः मतदान का आदेश करते समय निर्वाचन आयोग ने, इन रिपोर्टों पर भी ध्यान दिया था।

(ख) आयोग अपने अधीनस्थ अधिकारियों द्वारा दी गई किसी रिपोर्ट को प्रकाशित करने का विचार इस कारण से नहीं रखता है कि आयोग ने पुनः मतदान कराने के अपने तारीख 20 जून, 1981 के आदेश में विभिन्न रिपोर्टों के सभी पहलुओं पर चर्चा कर ली थी।

(ग) किसी व्यक्ति के विरुद्ध कार्रवाई करने का प्रश्न ही नहीं उठता क्योंकि मतदान के संचालन से संबंधित कोई अधि-

कारी विनिर्दिष्ट रूप से दोषी नहीं पाया गया।

(घ) जी नहीं।

Press Telegrams Detained/Intercepted/Censored/Examined by State Intelligence Departments

4391. SHRI ATAL BIHARI VAJPA-YEE: Will the Minister of COMMUNICATIONS be pleased to lay a statement showing;

(a) dates on which press telegrams were detained or intercepted or censored or examined by State Intelligence Departments in various States in each of the last three years and the current year; and

(b) the nature of the telegram in each case and Government's policy in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF COMMUNICATIONS (SHRI KARTIK ORAON): (a) and (b). While the Government is committed to the freedom of press, under the provisions of section 5(2) of Part II of Indian Telegraph Act, 1885 (13 of 1885) on the occurrence of any public emergency, or in the interest of public safety, the Central Government, or a State Government or any officer, specially authorised in this behalf by the Central Government or a State Government may, if satisfied that it is necessary or expedient so to do in the interest of sovereignty and integrity of India, the security of the State, friendly relations with foreign States or public order or for preventing incitement to the Commission of an offence, prohibit the transmission of press messages intended to be published in India of correspondents accredited to Central Government or State Government.

It is not in the public interest to divulge further details.

Solanpur Area of Eastern Coalfields

4392. SHRI KRISHNA CHANDRA HALDER: Will the Minister of ENERGY be pleased to state:

(a) whether Solanpur area of Eastern Coalfields has incurred a loss of about Rs. 6 crores and 72 lacs during 1980-81;

(b) if so, the detailed reasons for the loss; and

(c) whether C.B.I. enquiry is proposed to be instituted and what steps Government are going to take to punish the culprits?

THE MINISTER OF STATE IN THE MINISTRY OF ENERGY (SHRI VIKRAM MAHAJAN): (a) No, Sir, Solanpur area has incurred a loss of about Rs. 2.66 crores only during 1980-81.

(b) The loss is mainly due to unre-munerative price of coal coupled with increase in the cost of inputs, wages and loss of production due to various constraints.

(c) C.B.I. institute cases on their own and company provide all help to C.B.I.

Functions/Responsibilities of Director, Jt. Director, Dy. Directors of Publication Divisions

4393. SHRI KAMLA MISHRA MADHUKAR: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) what are the functions and responsibilities of the Director, Joint Director and Deputy Directors (Hindi) of the Publication Division;

(b) what is the normal procedure of appointment/posting to these posts;

(c) is it a fact that the working of Publications Division in general and particularly the part relating to publications in Hindi has deteriorated due to wrong persons posted on these posts; and

(d) what steps are proposed to be taken to remove these persons and im-

prove the slackness in Publication Division?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI VASANT SATHE): (a) The functions/responsibilities of Director, Joint Director and Deputy Director (Hindi) are as under:—

DIRECTOR: As the Head of the Department, the Director is in overall charge of all editorial, production business, and administrative work of Publications Division and is responsible for the functioning of the Division as a whole.

JOINT DIRECTOR: To assist Director in looking after the editorial work of all English and Regional language publications.

DEPUTY DIRECTOR (HINDI): To assist Director in looking after the editorial work of all Hindi publications.

(b) Appointment/posting to these posts are made by the Government from amongst the officers belonging to the Central information Service who are recruited by the Union Public Service Commission,

(c) No, Sir.

(d) Does not arise.

Telecasting of Collections Made by Chief Minister of Maharashtra

4394. SHRIMATI PRAMILA DANDAVATE: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) whether it is a fact that the Bombay T. V. (Doordarshan) has been regularly Televising the collection made by the Chief Minister of Maharashtra for the Indira Pratishtha;

(b) whether picture of Chief Minister of Maharashtra with a cheque of over few lakhs has also been shown; and

(c) if so, how many times in the last two months such pictures of the C.M. and the cheques were televised?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI VASANT SATHE): (a) to (c). Doordarshan, Bombay has covered the presentation of donation cheques to the Chief Minister of Maharashtra in its news bulletins along with the Chief Minister's photographs on 6th July, 13th July, 28th July and 22nd August, 1981.

Participants in Spotlight Programme of A.I.R. and Doordarshan

4395. SHRI ATAL BIHARI VAJPA-YEE:
SHRI SURAJ BHAN:

Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) names of journalists and persons of political parties who were invited to participate in the "Spotlight" and other similar programmes of (i) All India Radio and (ii) Doordarshan during the year 1980-81;

(b) amount paid to each of them on each occasion; and

(c) what is the criteria for selection of such persons?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI VASANT SATHE): (a) and (b). As regards AIR, the required information in respect of 1980 and 1981 is at Annexures 'A' and 'B' respectively laid on the Table of the House. [Placed in library. See No. LT-2834/81].

As regards Doordarshan, the information for the period from January 1980 to January 1981 is at Annexure 'C' laid on the Table of the House. [Placed in Library. See No. LT-2834/81].

For the remaining period, namely, from February 1981 to August 1981, the information is being collected and will be laid on the Table of the House.

(c) The persons for both Radio and Television are selected on the basis of their competence and eminence in the

particular field and their suitability for presenting the programmes, depending on the programme requirements of Radio and Doordarshan.

मध्य प्रदेश और राजस्थान में अगस्त 1980 से जुलाई, 1981 के दौरान बिजलीकेन्द्रों द्वारा बिजली का उत्पादन

4396. श्री सत्यनारायण जटिया :
क्या ऊर्जा मंत्री यह बताने की कृपा करेंगे कि :

(क) मध्य प्रदेश और राजस्थान में प्रत्येक बिजली घर द्वारा अगस्त, 1980 से जुलाई, 1981 तक एम० डब्ल्यू० एच० में बिजली की कितनी मात्रा का उत्पादन किया गया और प्रत्येक की उत्पादन क्षमता क्या है ;

(ख) उन बिजली घरों के क्या नाम हैं जिन्होंने मांग के अनुसार अपनी पूर्ण क्षमता से बिजली का उत्पादन किया और उन बिजली घरों के क्या नाम हैं जो अपनी पूर्ण उत्पादन क्षमता का उपयोग नहीं कर सके और इसके क्या कारण थे ; और

(ग) मध्य प्रदेश और राजस्थान में बिजली की औसत वार्षिक मांग और सप्लाई की स्थिति क्या है और मांग और सप्लाई के बीच अंतर को दूर करने के लिए क्या कदम उठाए जा रहे हैं ?

ऊर्जा संवत्सय में राज्य संत्री (श्री विक्रम महाजन) : (क) राजस्थान और मध्य प्रदेश में स्थित विद्युत् केन्द्रों की केन्द्रवार विद्युत् उत्पादन क्षमता तथा अगस्त, 1980 से जुलाई, 1981 तक की अवधि के दौरान इन से हुआ वास्तविक विद्युत् उत्पादन दिखाने वाला विवरण संलग्न है।

(ख) मध्य प्रदेश बिजली बोर्ड के सतपुड़ा युनिट सं० 1 से 5, कोरबा

यूनिट सं० 3 अमरकंटक और अमरकंटक विस्तार 1 और 2 अपने संभावित कार्य-निष्पादन के अनुरूप ही विद्युत का उत्पादन कर सके हैं। जो केन्द्र अपनी पूरी क्षमता का उपयोग नहीं कर सके उन केन्द्रों का ब्यौरा तथा पूरी क्षमता का उपयोग न कर सकने के कारण विवरण दो में दिए गये हैं।

(ग) वर्ष 1981-82 के दौरान राजस्थान की ऊर्जा की प्रत्याशित आवश्यकता 4708 मिलियन यूनिट है। इसकी तुलना में ऊर्जा की प्रत्याशित सप्लाई 4610 मिलियन यूनिट है। यह कमी 2.1

प्रतिशत है। वर्ष 1981-82 के दौरान मध्य प्रदेश की प्रत्याशित आवश्यकता 7057 मिलियन यूनिट है। इसकी तुलना में प्रत्याशित उपलब्धता 6566 मिलियन यूनिट है। यह कमी 7 प्रतिशत है। आवश्यकता और उपलब्धता के बीच के अंतर को पूरा करने की दृष्टि से, विभिन्न श्रेणी के उपभोक्ताओं की आवश्यकताओं को उनकी प्राथमिकता के अनुसार पूरा करने के लिए विद्युत की सप्लाई को नियंत्रित करने हेतु ये राज्य सरकारें विभिन्न श्रेणी के उपभोक्ताओं पर विद्युत की कटौतियाँ/प्रतिबंध लगाती है।

विवरण I

राजस्थान और मध्य प्रदेश में स्थित विद्युत् केन्द्रों की केन्द्रवार विद्युत् उत्पादन क्षमता तथा अगस्त 1980 से जुलाई 1981 तक की अवधि के दौरान इनसे हुआ वास्तविक विद्युत् उत्पादन

राज्य	केन्द्र	प्रतिष्ठापित विद्युत् उत्पादन क्षमता (मेगावाट)	विद्युत् उत्पादन (मेगावाट आवर)
राजस्थान	आर० ए० पी० एस०	440	1340
	आर० पी० सागर	172	343
	जवाहर सागर	99	254
	जोड़ (जल-विद्युत्)	271	597
	जोड़ (राजस्थान)	711	1937
	सतपुड़ा	1—5	1942
मध्य प्रदेश	—6	200	685
	—7	210	150
	कोरबा —एक	100	426
	—दो	200	922
	—तीन	120	728
	—चार	120	17
	अमरकंटक	60	385
	अमरकंटक विस्तार 1—2	240	1184
	अन्य	20	..
	जोड़ (ताप विद्युत्)	1462.5	6439
	गांधी सागर	115	305
	जोड़ (ताप+जल विद्युत्)	1577.5	6744
	(मध्य प्रदेश)		

विवरण II

जो केन्द्र अपनी पूरी विद्युत् उत्पादन क्षमता का उपयोग नहीं कर सके उन केन्द्रों का ब्यौरा तथा पूरी क्षमता का उपयोग न कर सकने के कारण

राज्य	केन्द्र	कारण
राजस्थान	आर०ए०पी०एस०	बन्दी की ऊँची दर 1 अप्रैल, 1981 से अगस्त 1981 तक की अवधि के दौरान केन्द्र की बन्दी की दर 23 प्रतिशत से 53 प्रतिशत तक अलग-अलग थी। इस अवधि के दौरान औसत 34 प्रतिशत रही।
	आर० पी० सागर } जवाहर सागर }	उपलब्ध जल का पूर्णतः उपयोग कर लिया गया है।
मध्य प्रदेश	सतपुड़ा —6 } —7 }	नई यूनिट सुस्थिर हो रही है।
	कोरबा—एक	बन्दी की ऊँची दर 1 अप्रैल 81 से अगस्त 81 तक की अवधि के दौरान केन्द्र की बन्दी की दर 33 प्रतिशत से 67 प्रतिशत तक अलग-अलग थी। इस अवधि के दौरान औसत 46 प्रतिशत रहा।
	कोरबा—दो	अप्रैल 81 से अगस्त 81 के दौरान क्षमता समुपयोजना (संयंत्र भार अनुपात प्रतिशत) 38 प्रतिशत से 59 प्रतिशत तक अलग-अलग था। इस अवधि के दौरान औसत केवल 50 प्रतिशत रहा। इसके बावजूद इस अवधि के दौरान प्रचालन उपलब्धता लगभग 75 प्रतिशत रही।
	कोरबा—चार	नई यूनिट सुस्थिर हो रही है।
	गांधी सागर	उपलब्ध जल का पूर्णतः उपयोग कर लिया गया है।

Favour of Sarin Committee in Manufacturing of Digital Exchange System in the Electronic Switching Factories

4397. SHRI GHULAM MOHAMMED KHAN: Will the Minister of COMMUNICATIONS be pleased to state:

(a) whether it is a fact that the Sarin Committee on telecommunica-

tions has favoured manufacture of the digital exchange system in the electronic switching factories; and

(b) if so, the decision taken by the P&T department in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF COMMUNICATIONS (SHRI KARTIK ORAON): (a) Yes Sir.

(b) The P&T Department have, after careful consideration, accepted this recommendation.

Publication of 'Transport-Kahalam'

4398. SHRI B. K. NAIR: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) whether a monthly known as Transport-Kahalam is being published from Trivandrum by two sets of printers and publishers simultaneously causing a lot of confusion among the State Transport Employees and General public;

(b) whether the proceedings in the dispute between the rival claimants before the appropriate authority under the P.R. Act were concluded several months ago;

(c) the reasons for the inordinate delay in giving the verdict;

(d) whether direction would be issued to expedite the order; and

(e) whether suitable action would be taken against the Authority for misuse of powers and dereliction of authority?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI VASANT SATHE): (a) Yes, Sir, A monthly known as "Transport Kahalam" was being published from Trivandrum by two sets of printers and Publishers.

(b) to (d) As per report received from the Government of Kerala, the appropriate authority heard the parties some months ago and has since passed his final orders. The delay is due to administrative reasons.

(e) Does not arise.

Memorandum from Sindhi Sahitya Kala Vikas Samiti

4399. SHRI INDRAJIT GUPTA: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) whether Government have received any memorandum in September, 1980 from Sindhi Sahitya Kala Vikas Samiti;

(b) if so, the main points; and

(c) decision, if any, taken thereon?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI VASANT SATHE): (a) Yes, Sir.

(b) The request made is for increasing the duration and variety of broadcasts/telecasts in Sindhi either through separate AIR Stations or otherwise etc.

(c) AIR Stations normally put out programmes in minority languages (vis. a-vis) the main language in their service area when at least 5 per cent of the people speak that language. All India Radio periodically reviews the adequacy of language programmes. While there may be no justification for a separate radio Station for programme in Sindhi, AIR Stations in area having sizeable concentration of Sindhi speaking population are already broadcasting programmes in Sindhi as per details below:—

1. Bombay	..	60 mts. per week
2. Jaipur	..	60 mts. per week (since increased to 90 mts. with effect from 7.6.81)
3. Bhub	..	115 mts. per week
4. Bhopal/Indore		30 mts. per week
5. Ahmedabad	..	30 mts. per day

This language is already represented in the AIR's National Symposium of Poets. Subject to availability of sul-

table material AIR would also broadcast plays and folk music programmes in Sindhi in the National Programme series.

So far as Doordarshan is concerned, the Kendras are presently in single channel service. An introduction of separate chunks in Sindhi language would not be practicable. However, even now Doordarshan Kendras put out special programmes like 'Cheti Chand' and also telecast Sindhi films and film songs in the regional film/Chitrahari chunk.

In view of substantial contribution of Sindhi population in certain areas of radio stations such as Bhubaneswar, Government is considering increasing timing of Sindhi language programme.

Setting up of New Units by IDL In Rajasthan and West Bengal

4400. SHRI CHANDRADEO PRASAD VERMA: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state whether it is a fact that IDL Chemicals Limited, Hyderabad has recently been permitted by Government to set up new units in Rajasthan and West Bengal; if so, details?

THE MINISTER OF PETROLEUM, CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI): Rajasthan Industrial Development and Investment Corporation are setting up a plant in the joint sector, with IDL Chemicals Limited as co-promoters, for the manufacture of explosives, detonators and detonating fuses. West Bengal Industrial Development Corporation propose to set up, in the joint sector, with IDL Chemicals Limited as co-promoters, a plant for the manufacture of Slurry Explosives.

Statement Correcting Reply to U.S.Q. 1386 dated 25th August, 1981 Regarding Poll Reforms

In reply to part (b) of Lok Sabha Unstarred-Question No. 1386 for 25th August, 1981 by Shri Indrajit Gupta and Shri R. P. Gaekwad, it was stated, "details of the recommendations made by the Election Commission on various occasions have already been placed on the Table of the House in connection with the Lok Sabha Unstarred Question No. 227 dated the 10th June, 1980 and Lok Sabha Starred Question No. 221 dated the 2nd December, 1980. Some of the recommendations of the Commission are also contained in its Report on the General Elections to the House of the People and the Legislative Assemblies 1979-80 and Vice-Presidential Election, 1979 Volume I which had already been laid on the Table of the House on 23rd December, 1980.

This point was inadvertently not included in reply to part (b) of Lok Sabha Unstarred Question No. 1386. However, it may be stated that in the reply that was given to a similar Unstarred Question No. 2259 for 1st September, 1981, in the Lok Sabha, the inadvertent slip was rectified.

U.S.Q.121 dt. 7-2-81 regarding Shareholder of Lipton India Limited

In answer to part (c) of the Question it was stated *inter-alia* that the company, M/s Lipton India Ltd. made a pre-tax profit of Rs. 96.34 lakhs for the year ending 30th June, 1980. It has now transpired that the said amount of Rs. 96.34 lakhs was actually the loss incurred by the company for that year. The inadvertent error is regretted. The correction could not be issued earlier as the error was noticed only recently.

12 hrs.

RE. QUESTION OF PRIVILEGE,
CALLING ATTENTION AND MOTION
FOR ADJOURNMENT

MR. DEPUTY-SPEAKER: I will call one from this side and one from that side.

(Interruptions)**

MR. DEPUTY-SPEAKER: I will call one by one. I will come to you. I will call one by one. I will come to you. Mr. Vajpayee. Please. I will call one by one.

(Interruptions)**

MR. DEPUTY-SPEAKER: Hon. Members, I must hear what you have to say. I must hear what you have to mention. That privilege is not given to me. All these things will not go on record.

(Interruptions)**

MR. DEPUTY-SPEAKER: I will call you one by one. Please sit down. I have called Mr. Vajpayee. I will call you one by one. Please sit down. Mr. Vajpayee.

(Interruptions)**

MR. DEPUTY-SPEAKER: I cannot help it. I will call you one by one.

(Interruptions)**

MR. DEPUTY-SPEAKER: I would very much request the Party leaders to control their Members. All Party leaders may control their respective Party Members. I must hear what you say. You do not want to be told.

(Interruptions)**

MR. DEPUTY-SPEAKER: I will call you. I will call you also. I will call everyone of you. Now, Mr. Vajpayee. All of you, please sit down.

(Interruptions)**

SHRI ATAL BIHARI VAJPAYEE (New Delhi): Hon. Speaker was to give the ruling today on our Privilege Motion against the Finance Minister.

(Interruptions)**

MR. DEPUTY-SPEAKER: I have understood it. The Hon. Speaker is sick. He will be attending the House tomorrow.

SHRI ATAL BIHARI VAJPAYEE: The Speaker should not give his ruling without hearing us. It is a question of Privilege. The Speaker has a very limited role. It is for the House to decide whether a breach of privilege has been committed or not. I want to draw your attention to Kaul and Shakhder.

(Interruptions)**

MR. DEPUTY-SPEAKER: The Speaker had announced that he may give his ruling today. The Speaker is sick. He is expected tomorrow and I think that his ruling may be given tomorrow. (Interruptions). You may meet the Speaker. Your views I shall tell him.

SHRI ATAL BIHARI VAJPAYEE: Before the ruling is given, I would like the Speaker to go through Kaul & Shakhder and May's Parliamentary Practice.

MR. DEPUTY-SPEAKER: I know he welcomes every one of the opposition leaders.

SHRI ATAL BIHARI VAJPAYEE: Not in his chamber. It is to be decided on the floor of the House. (Interruptions). I would like to register our protest.

SHRI SATISH AGARWAL (Jaipur): The privilege is of the House. It has to be decided on the floor of the House.

(Interruptions)

SHRI NIREN GHOSH (Dum Dum): On a point of order.

MR. DEPUTY-SPEAKER: There is no subject under discussion here. This is zero hour. There is a vacuum. Therefore, if you want to raise a point of order, you must take

my permission. I am not permitting you to raise a point of order.

(Interruptions).

SHRI GHULAM NABI AZAD (Washim): In 1979 there were riots in Jamshedpur and then Janata Government constituted a three-member committee headed by Mr. Jitendra Narayan..

MR. DEPUTY-SPEAKER: It is under consideration. (Interruptions)

SHRI ATAL BIHARI VAJPAYEE: I am prepared for a discussion.

(Interruptions)**

MR. DEPUTY-SPEAKER: I have said it is under consideration. Mr. Dhandapani.

SHRI C. T. DHANDAPANI (Pollachi): With regard to the multi-crore spirit scandal, a reign of terror has been unleashed in Tamil Nadu...*

MR. DEPUTY-SPEAKER: That will not go on record.

SHRI C. T. DHANDAPANI: More than 10,000 people have been arrested, including 4 MPs and my leader Shri Karunanidhi. They have been put in jail and they have been tortured. There is no Government at all. I request the Government to dismiss the Tamil Nadu Government, and the President should take over... (Interruptions)

MR. DEPUTY-SPEAKER: Your adjournment motion is disallowed. Law and order is a State subject. (Interruptions)

MR. DEPUTY-SPEAKER: Now, Shri H. K. L. Bhagat.

SHRI H. K. L. BHAGAT (East Delhi): What has happened to the calling attention notices given by me as well as by other hon. Members regarding the gold auction scandal? Yesterday, you said that it was under consideration.

MR. DEPUTY-SPEAKER: A call attention motion has been permitted by the Speaker for tomorrow.

SHRI C. T. DHANDAPANI: I want to know the reason for not allowing me. (Interruptions)

MR. DEPUTY-SPEAKER: It is a State subject. No reason can be given to you.

(Interruptions)**

MR. DEPUTY-SPEAKER: I am not permitting. Please do not record.

(Interruptions)**

MR. DEPUTY-SPEAKER: You please meet me in my chamber. Adjournment motion has been disallowed.

(Interruptions)

श्री रामावतार शास्त्री (पटना) : उपाध्यक्ष जी, मैं ने कल भी आपसे निवेदन किया था जमशेदपुर के राइट्स के बारे में...

MR. DEPUTY-SPEAKER: It is under consideration.

SHRI K. LAKKAPPA (Tumkur): Report on the Jamshedpur riots, gold auction scandal and the Puri Committee report are very important issues. You have just now said that a calling attention motion has been admitted for tomorrow. But yesterday you promised that you would allow a discussion on this today. And you said that it was under consideration. (Interruptions)

MR. DEPUTY-SPEAKER: I have not made any such promise.

SHRI K. LAKKAPPA: It has been reported in today's papers also that the RSS... (Interruptions)... There should be a full discussion of that report.

MR. DEPUTY-SPEAKER: It is under consideration. As for the Puri Committee Report, a call attention has been allowed.

(Interruptions)

MR. DEPUTY-SPEAKER: And no promise was made. Now. Mr. Yadav.

(Interruptions)**

MR. DEPUTY-SPEAKER: Nothing will go on record except what Mr. Yadav says.

(Interruptions)

MR. DEPUTY SPEAKER: The first quality and duty of a Member is to obey the chair.

(Interruptions)**

MR. DEPUTY-SPEAKER: Other things will not go on record. Only Shri Chandrajit Yadav will go on record.

(Interruptions)

SHRI CHANDRAJIT YADAV (Azamgarh): Sir, it is very kind of you to have called me. But when you call us, you must listen to us also. Otherwise, even before we complete our sentence, if you pass on to the next Member, no purpose would be served. When you call us, you have to listen to us.

SHRI ATAL BIHARI VAJPAYEE: It should be applied with retrospective effect.

SHRI CHANDRAJIT YADAV: Firstly, today I have given notice of an adjournment motion on the Jitendra Narain Commission Report on Jamshedpur riots.

MR. DEPUTY-SPEAKER: It is under consideration.

SHRI CHANDRAJIT YADAV: You say that it is under consideration. But this is not a question which can be discussed in a Calling Attention Notice. It is no answer to this serious problem. I am saying that Jamshedpur is not an isolated case. Communal riots have taken place in different parts of the country.... (Interruptions) but because of the delay, the culprits are not identified. The present procedure is very defective. When hundreds of people are killed, innocent lives are lost, property destroyed, the culprits are not punished. We have been demanding that those who conspire for communal riots, those who take part in communal riots should be awarded capital punishment. That is the only answer against this national crime. Nobody will dispute it. I am saying it is serious matter.

MR. DEPUTY-SPEAKER: You may meet the Speaker.

SHRI CHANDRAJIT YADAV: The Prime Minister last time reconstituted the National Integration Committee, realising the importance and seriousness of this issue, because the minorities in this country feel quite insecure. There are forces, organised forces, organised organisations in this country which are working against national integration... (Interruptions) Let there be a full-fledged discussion on the communal situation in this country.

SHRI SAMAR MUKHERJEE (Howrah): We have already given notice.

MR. DEPUTY-SPEAKER: It is under consideration.

SHRI CHANDRAJIT YADAV: My second submission is about the Mandal Commission Report.

MR. DEPUTY-SPEAKER: They are going to place it on the Table of the House.

SHRI INDRAJIT GUPTA (Basirhat): Are you allowing a discussion on the Jamshedpur riots?

MR. DEPUTY-SPEAKER: It is under the consideration of the Speaker. You may meet the Speaker.

SHRI INDRAJIT GUPTA: Only three days are left. It must be decided now.

MR. DEPUTY-SPEAKER: I shall communicate your views to the Speaker. I will call you one by one, provided you are prepared to wait.

SHRI ABDUL SAMAD (Vellore): Sir, you are the custodian of this House. A few of our colleagues, Members of Parliament, have been unnecessarily and illegally detained by the MGR Government this morning. We expected a report. So far you have not revealed to the House anything. We want to know how many people were arrested, why they were arrested..... (Interruptions) A law and order situation has been created there....

MR. DEPUTY-SPEAKER: Shri Dhandapani has already mentioned it.

SHRI ABDUL SAMAD: Kalaingar Karunanidhi and 2,000 people were arrested in the city alone. We want that this should be discussed in this House.

MR. DEPUTY-SPEAKER: That has been raised by Shri Dhandapani already.

श्री मलिक एम. एम. ए. खां (एटा) : उपाध्यक्ष महोदय, जमशेदपुर कमीशन ने जितना क्लिबकारी लोगों को आईडेंटिफाई किया है कि किन-किन ने कम्यूनल ट्राएट्स कराये हैं, कान-कान मुबारिम हैं, उतनी साफ पिक्चर पहले कभी नहीं आई थी। हम इस पर फुल डिस्कशन चाहते हैं। राज्य सभा में यह डिस्कशन एप्रूव हो चुका है। यहां इस पर कालिंग-एटेंशन नहीं, बल्कि पूरा डिस्कशन होना चाहिये।

दूसरी बात मैंने एक बहुत सीरियस मामले पर कालिंग-एटेंशन दिया है। बीनगर में यू. एन. ओ. के ऑब्जर्वर हमारे डिफेन्स के ऑफिसर्स से मिल कर पाकिस्तान के लिये वासूसी कर रहे हैं, सामान स्मगल कर रहे हैं। यह मुल्क की सिक्योरिटी के लिये बहुत सीरियस बात है। इस पर मेरा कालिंग-एटेंशन जरूर मंजूर होना चाहिये।

MR. DEPUTY-SPEAKER: About the matter regarding UNO observer, it has been rejected. You can raise it when there is a discussion on External Affairs.

About Jamshedpur, you have already given notice under Rule 184. It is under consideration.

श्री मलिक एम. एम. ए. खां : दो दिन हो गये अभी तक अण्डर-कन्सीडरेशन है। दो दिन से इस सदन में कोई कालिंग-एटेंशन नहीं आया, इस सेशन के दो दिन बाकी रह गये हैं, आप क्या कन्सीडर कर रहे हैं?

MR. DEPUTY-SPEAKER: You have asked for discussion. It is under consideration.

श्री जमीनूरहमान (किशनगंज) : जमशेदपुर में आम मुसलमानों का जो कत्ले-आम हुआ था...

[شہری جمہول الرحمان (کشی گنج):]

جمشید پور میں عام مسلمانوں کا جو

قتل عام ہوا تھا [.....]

MR. DEPUTY-SPEAKER: I have already told you about Jamshedpur. I cannot be replying to everybody.

श्री जमीनूरहमान : आप मेरी बात सुनिये। जमशेदपुर में मुसलमानों का जो कत्ले-आम हुआ था, उस के लिये एक कमीशन बैठाया गया था जिस ने बहुत साफ तरीके से अपनी रिपोर्ट दी है। हम लोग चाहते हैं कि हमारी जिन्दगी महफूज रहे, इस लिये उस रिपोर्ट पर पूरी बहस हो और जो मुबारिम हैं उन को इवरतनाक सजाये दी जाय।

[شہری جمہول الرحمان : آپ، میری]

بات سنئے - جمشید پور میں مسلمانوں کا جو قتل عام ہوا تھا اس کے لئے ایک کمیشن بنھایا گیا تھا جس نے بھی صاف طریقے سے اپنی رپورٹ دی ہے - ہم لوگ چاہتے ہیں کہ ہماری زندگی محفوظ رہے اس لئے اس رپورٹ پر پوری بحث ہو اور جو معذور ہوں ان کو مہربانک سزائیں دی جائیں -]

MR. DEPUTY-SPEAKER: He has already mentioned it. It is all right.

(Interruptions)

MR. DEPUTY-SPEAKER: That is all right, you have mentioned. Now, Mr. Kashyap.

श्री जगपाल सिंह कश्यप (आंवला) : उपाध्यक्ष महोदय, सब से पहले तो मैं यह कहना चाहता हूँ कि मेरा नाम जगपाल सिंह कह दिया जाता है, जब कि मेरा नाम जयपाल सिंह कश्यप है और मैं इमार्केटिक सोशलिस्ट पार्टी का हूँ।

कल मैंने एक बिस्वेषाधिकार हनन का मामला दिया था, जिस पर कल आप ने बतलाया था कि अण्डर-कन्सीडरेशन है, लेकिन दोबारा आप ने कहा—चूंकि यह प्रधान मंत्री के विरुद्ध है, इसलिये उस मामले को रिजेक्ट कर दिया गया है। आज अखबारों में भी उस के बारे में गलत रिपोर्टिंग हुई है कि वह प्रधान मंत्री के खिलाफ था, इस लिये रिजेक्ट कर दिया गया है। जब आप ने पहले रूलिंग दी थी कि अण्डर-कन्सीडरेशन है...

MR. DEPUTY-SPEAKER: It has been rejected. Yes, it has been rejected.

श्री जयपाल सिंह कश्यप : इस पर आप ने दो निर्णय कैसे लिये...

MR. DEPUTY-SPEAKER: I need not give you the reason. It has been rejected. Yes, Mr. Tytler.

श्री जयपाल सिंह कश्यप : जब आप ने पहले रूलिंग दिया कि अण्डर-कन्सीडरेशन है तो फिर कैसे कह दिया कि रिजेक्ट कर दिया गया है। एक साथ दो निर्णय कैसे ले सकते हैं? ... (व्यवधान) ...

MR. DEPUTY-SPEAKER: You meet the Speaker or come and meet me in the Chamber.

(Interruptions)

MR. DEPUTY-SPEAKER: I said, I have already rejected.

MR. DEPUTY-SPEAKER: Please do not record him.

(Interruptions)**

MR. DEPUTY-SPEAKER: This will not go on record.

SHRI JAGDISH TYTLER (Delhi Sadar): Very soon all the Members of this House including yourself will all have to hang our heads in shame and I am sure that the RSS elements may have to go and drown themselves if you do not consider this report on the Jamshedpur riots.

MR. DEPUTY-SPEAKER: What do you want to say?

SHRI JAGDISH TYTLER: I have given a Calling Attention this morning. But it is not enough. A full discussion on this has to be there, otherwise...

MR. DEPUTY-SPEAKER: It is under consideration.

(Interruptions)

MR. DEPUTY-SPEAKER: I will come to you. Now, Mr. Gangwar.

(Interruptions)

MR. DEPUTY-SPEAKER: Please sit down. I will not allow you. I have already allowed you. Now, Mr. Gangwar.

SHRI HARISH KUMAR GANGWAR: (Pilibhit): Sir, I have given notices of adjournment motion and Calling Attention on two points. These are non-controversial. One is the reported manufacturing of sub-standard baby milk foods of reputed brands...

MR. DEPUTY-SPEAKER: I have not given my consent.

SHRI HARISH KUMAR GANGWAR: I have also given call attention notice...

(Interruptions)

**Not recorded.

MR. DEPUTY-SPEAKER: Please come and meet me in Chamber.

(Interruptions)

SHRI EBRAHIM SULAIMAN SAIT (Manjeri): The report on the Jamshedpur riots has been placed on the Table of the House of the Bihar Assembly, and it has been made public. Communal riots are a national problem. This problem has been tarnishing the image of our country and it has been completely shaken. I want full fledged discussion of this report in this House.

MR. DEPUTY-SPEAKER: Calling Attention is under consideration.

SHRI KRISHNA CHANDRA HALDER (Durgapur): Mr. Speaker told us that he will give ruling regarding the Privilege Motion moved by Prof. Dandavate. I want to know what has happened to that.

MR. DEPUTY-SPEAKER: The Speaker is not well. He may be attending the House tomorrow. You may raise the issue then.

SHRI KRISHNA CHANDRA HALDER: We want full discussion...
(Interruptions).

MR. DEPUTY-SPEAKER: Speaker is expected tomorrow.

(Interruptions)

MR. DEPUTY-SPEAKER: Shri Lawrence.

SHRI M. M. LAWRENCE (Idukki): I also have given a Calling Attention regarding the Report on Communal Riots in Jamshedpur. I also demand full discussion on this issue.

MR. DEPUTY-SPEAKER: It is under consideration. I now go to the next item. Nothing except this will go on record.

(Interruptions)**

12.27 hrs.

PAPERS LAID ON THE TABLE
DELIMITATION OF COUNCIL CONSTITUENCIES (ANDHRA PRADEH) AMDT. ORDER, 1981 AND MRTP COMMISSION REPORTS IN CASE OF M/S. SWADESHI POLYTEX LTD., GHAZIABAD AND M/S. BROOKE BOND INDIA LTD., CALCUTTA

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI P. VENKATASUBBALAH): On behalf of Shri P. Shiva Shanker, I beg to lay on the Table:—

(1) A copy of the Delimitation of Council Constituencies (Andhra Pradesh) Amendment Order, 1981 (Hindi and English versions) published in Notification No. G.S.R. 489(E) in Gazette of India dated the 19th August, 1981, under subsection (3) of section 13 of the Representation of the People Act, 1950. [Placed in Library. See No. LT-2816/81.]

(2) A copy each of the following Reports (Hindi and English versions) of the Monopolies and Restrictive Trade Practices Commission under Section 62 of the Monopolies and Restrictive Trade Practices Act, 1969:—

(i) Report under section 21(3) (b) of the Monopolies and Restrictive Trade Practices Act, 1969 in the case of M/s Swadeshi Polytex Limited, Ghaziabad for substantial expansion of its capacity from 6100 tonnes to 12200 tonnes per annum for the manufacture of polyester staple fibre at its existing location in Gaziabad, together with letter dated the 29th August, 1981 from the Government to M/s Swadeshi Polytex Limited and the explanatory note on the Report.

(ii) Report under section 22 of the Monopolies and Restrictive

Trade Practices Act, 1969 in the case of M/s. Brooke Bond India Limited, Calcutta for the setting up of a new unit for the manufacture of instant coffee at Hosur, Tamil Nadu and the Order dated the 19th August, 1981 of the Central Government thereon together with an explanatory note on the Report. [Placed in Library. See No. LT-2817/81.]

COMMITTEE ON ABSENCE OF MEMBERS FROM SITTINGS OF THE HOUSE
MINUTES

SHRI P. V. G. RAJU (Bobbili): I beg to lay on the Table Minutes of the sitting of the Committee on Absence of Members from the Sitings of the House held on the 10th September, 1981.

MESSAGE FROM RAJYA SABHA

SECRETARY: Sir, I have to report the following message received from the Secretary-General of Rajya Sabha:—

"In accordance with the provisions or rule 111 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to enclose a copy of the Assam State Legislature (Delegation of Powers) Bill, 1981, which has been passed by the Rajya Sabha at its sitting held on the 14th September, 1981."

ASSAM STATE LEGISLATURE (DELEGATION OF POWERS) BILL
AS PASSED BY RAJYA SABHA

SECRETARY: Sir, I lay on the Table of the House the Assam State Legislature (Delegation of Powers) Bill, 1981, as passed by Rajya Sabha.

LEAVE OF ABSENCE FROM THE SITTINGS OF THE HOUSE

MR. DEPUTY-SPEAKER: The Committee on Absence of Members

from the Sittings of the House in their Fifth Report have recommended that leave of absence be granted to the following Member for the period mentioned against him:—

Shri Shiv Prasad Sahu—17th August to 4th September, 1981.
(Sixth Session).

Is it the pleasure of the House that leave as recommended by the Committee may be granted?

SOME HON. MEMBERS: Yes.

MR. DEPUTY-SPEAKER: The leave is granted. The Member will be informed accordingly.

12.28 hrs.

MATTERS UNDER RULE 377

(i) MEASURES TO SAVE BEEDI INDUSTRY
KERALA

SHRI V. S. VIJAYARAGHAVAN (Palghat): Under Rule 377, I make the following statement.

In Kerala, production of un-labelled beedi on a mass scale has created problems for the beedi industry. Making use of the exemption limit granted by the Government, the manufacturers of unbranded beedi are defrauding the Government of excise duty worth crores of rupees. The markets are flooded by un-branded beedies which are pushing out the branded beedies which are manufactured in the cooperative sector. This result is that on the one hand the Government is losing revenue and on the other hand the genuine manufacturers are affected. Press owners in whose press the label is printed, dealers in beedi leaf, tobacco etc. are the people who are engaged in the business of manufacturing unbranded beedi.

If this situation is allowed to continue, the genuine manufacturing units of beedi will suffer grievously and many workers will become jobless. Therefore, the Government has

[Shri V. S. Vijayaraghavan]

to pay urgent attention to this problem. The excise duty imposed on beedi should be shifted on to tobacco. The present system of exemption to unbranded beedi from the incidence of excise has in fact created this problem.

Therefore, either the Government should withdraw the excise duty on beedi or levy the duty uniformly on branded as well as unbranded beedi.

I request the Government to take immediate steps in this regard and save the beedi industry in Kerala.

(Interruptions)**

MR. DEPUTY-SPEAKER: Nothing except 377 will go on record. I request you in the Gandhian way to go to your seat.

(ii) NEED TO CONVERT MURTIZAPUR-YAVATMAL NARROW GAUGE LINE INTO BROAD GAUGE RAILWAY LINE

SHRI UTTAMRAO PATIL (Yavatmal): Mr. Deputy-Speaker, Sir, the trains between Murtizapur and Yavatmal in Maharashtra are running on narrow gauge line with old model engine. These trains take more than 10 to 12 hours to cover the distance of 250 kms.

Demand for conversion of these lines into broad gauge is due since long. It is also a fact that the trains are run by some private foreign company.

It is far beyond the tolerance of the travelling passengers to cooperate with railway authority and 'Rail Roko' agitation has been launched by some youth organisations from 10th August, 1981.

Circumstances demand that the Central Government should intervene and convert this narrow gauge into broad gauge and also provide other facilities to the passengers in order

to stop the agitation and speeding up of trains.

(iii) DETERIORATING LAW AND ORDER SITUATION IN DELHI

श्री भीष्म राम जैन (चांदनी चौक) : उपाध्यक्ष महोदय, दिल्ली में ला एंट आर्डर की स्थिति भयंकर हो गई है, सरे-आम असामाजिक तत्व भले जादूमियों को जान से मार देते हैं, लोगों के जान-माल की सुरक्षा नहीं रह गई है। पुलिस बिल्कुल निष्क्रिय हो गई है। यहां तक कि लोगों की एफ. आई. वार. तक दर्ज करने में हिलो-हुज्जत की जाती है। अपराधियों का पता लगाने में पुलिस नाकामयाब रहती है।

दिनांक 11-9-81 की रात्रि के 8.30 बजे दिल्ली के चांदनी चौक इलाके में भागीरथ प्लेस में होल-सेल बिजली मार्किट के एक आशु नामक 22 वर्षीय युवक की वहीं पर रहने वाले कुछ असामाजिक तत्वों द्वारा हत्या कर दी गई, फलस्वरूप 12-9-81 को तमाम बिजली मार्किट बंद रही। सारे इलाके में असुरक्षा की भावना व असंतोष व्याप्त है। वहां के निवासियों का कहना है कि पुलिस की असामाजिक तत्वों से मिली भगत है, इसीलिये शिकायत करने पर भी पुलिस उनके खिलाफ कार्यवाही नहीं करती है। असामाजिक तत्व खुलेआम वहां के दुकानदारों को धमकी दे जाते हैं और इस युवक की हत्या पुलिस की डील डाल का ही एक कारण है। पुलिस हत्यारे का पता लगाने और गिरफ्तार करने में असफल रही है ॥

इसी प्रकार उसी दिन 11-9-81 को रात्रि के समय दिल्ली के उपराज्यपाल के निवास के बाहर कुछ असामाजिक तत्वों द्वारा गोली चलाने से एक सिपाही की तत्काल मृत्यु हो गई और दूसरा सिपाही घायल हो गया। दिल्ली की पुलिस इस अपराध को साधारण अपराध मान रही है जब कि केन्द्रीय अन्वेषण एजेंसियां उसे गंभीर अपराध मानती हैं। इस कांड में भी पुलिस

**Not recorded.

अपराधियों को पकड़ने में नाकामयाब रही हैं ।

दिल्ली की इस स्थिति पर तुरन्त ध्यान देने के सम्बन्ध में मैं गृह मंत्री से निवेदन करना चाहता हूँ कि वह फौरन इस तरफ ध्यान दें और ऐसी व्यवस्था बनाने की कृपा करें जिससे इस तरह के वाकिफात आगे न हों और लोग सुरक्षा से रह सकें ।

(iv) NEED FOR STEPS TO REGULATE RECRUITMENT OF INDIAN LABOUR FOR GULF COUNTRIES

*SHRI D. S. A. SIVAPRAKASAM (Tirunelveli): In recent times, many of our people go to U.A.E. Arabia, Iran etc. in search of jobs, after obtaining passports. In getting passports, visas for them, there are many malpractices occurring. Some claim to be the agents of these countries for recruitment purposes and some others as Government of India recognised agents. They advertise in our newspapers. It is stated that from Rs. 10,000 to Rs. 20,000 are realised by these agents from the prospective applicants for jobs in these countries. Some of these institutions after collecting money just disappear. Some others stall the applicants, promising them that visa would be obtained for them from the respective Embassies. The common people are thus being deceived and most of them have become victims of these devious agents. In newspapers, graphic accounts of such people appear day in and day out. Even the names of such agents appear.

It has become the duty of the Government to take immediate steps to curb this kind of unhealthy practice. There are institutions which are registered with the Labour Department for recruitment to be done in this regard. Yet such malpractices continue to occur. The only solution is that the system of agency for recruitment should be done away with.

The Government should get in direct touch with the Embassies concerned and get their requirement of personnel in those countries. The Embassy of such countries should supply the statistics

in this regard and the Government of India should make direct recruitment and send them abroad. If this is not done, naturally those who go to these countries on forged passports and visas obtained through these agents will be deported back to India as refugees by these countries concerned, like refugees from Sri Lanka, Bangladesh etc. Now we read about the conflicts taking place in London between Indians and Englishmen. Similar situation should be averted in UAE and other countries by taking adequate steps.

The Government should also scrutinise how the money sent by the Indians working there is being utilised in our country. It should be ensured that their remittances are not utilised for anti-national activities here in our country. The Government should also ascertain that these people who go there are working in the jobs for which they have been taken abroad. Briefly, the Government should regularise the modalities of recruitment to these countries like U.A.E. Secondly, their future should be assured in those countries so that they are not made refugees. Their remittances to this country should also be scrutinised by the Government regularly.

(v) DEMANDS OF YOUTH AND STUDENTS FOR EDUCATION AND JOBS

PROF. RUP CHAND PAL (Hoo-ghly): Sir, thousands of youth and students from different parts of the country have assembled at Delhi today (15-9-81) under the banner of All India Youth and Student Action Committee comprising representatives of Democratic Youth Federation of India, National Student Union of India, Indian Youth Congress, All India Youth League, Revolutionary Youth Organisation and Youth for Democracy to press certain urgent Demands of the youth and students of India. Their demands include right to work as Fundamental right, un-

[Prof. Rup Chand Pal]

employment relief, free and compulsory education upto secondary stage, placing of education in the State List, allocation of 10 per cent of Budget provisions for education, introduction of mother tongue as medium of instruction throughout the country, bringing down of voting age to 18, radical land reforms to relieve pressure of growing unemployment.

The representatives of the above mentioned Action Committee are handing over a Memorandum containing the above demands signed by several millions of youth and students of our country to the Hon'ble Prime Minister of India today.

I urge upon the Central Government to give due consideration to the demands of the youth and students of our country and take all necessary steps at an early date to mitigate the sufferings of the youth and students of our country.

(vi) NEED FOR IMPROVING THE LOT OF THE DISABLED AND HANDICAPPED PERSONS

श्री विजय कुमार यादव (नालन्दा) :
उपाध्यक्ष महोदय, रोजगार की मांग ले कर तीन नेत्रहीन व्यक्ति वोट क्लब में अनिश्चित कालीन भूख हड़ताल कर रहे हैं।

देश में भारी संख्या में विकलांग हैं जिन्हें समाज तथा सरकार की ओर से घोर उपेक्षा की जा रही है। इन विकलांगों में शिक्षित एवं अशिक्षित दोनों हैं जो देश के विकास और उत्पादन को बढ़ाने के लिये दृढ़ आत्म-विश्वास रखते हैं। शारीरिक मजबूरियों के बावजूद इनका इस्तेमाल उपरोक्त उद्देश्यों की आपूर्ति की दिशा में किया जा सकता है।

विकलांगों में महिलाओं की भी संख्या कम नहीं है। इनके सामने रोजी रोटी एवं आत्म सम्मान एवं प्रतिष्ठा बचाने के लिये कोई उपाय नहीं रहने के कारण और भी कठिन समस्या है।

विकलांगों में बहुत सारे प्रशिक्षित भी हैं। पर उचित सहायता के अभाव में

इन्हें भीख मांगने पर मजबूर होना पड़ता है। इनका जीवन नारकीय बन गया है।

इस विकलांग वर्ष में भी इनकी दशा सुधारने, अन्य नागरिकों की तरह इन्हें भी सम्मानित नागरिक की तरह जीवन व्यतीत करने का अवसर प्रदान करने की दिशा में कोई कारगर कदम नहीं उठाया गया है।

अतः मैं देश के लाखों विकलांगों की दयनीय अवस्था की ओर सरकार का ध्यान आकर्षित करते हुए मांग करता हूँ कि देश के तमाम उपशिक्षित एवं प्रताड़ित विकलांगों की अवस्था में अविनाश संधार लाने के लिये सरकार निम्नलिखित कदम उठावे :

(क) तमाम विकलांगों को उनकी क्षमता और योग्यता के अनुसार रोजगार देने की कालबद्ध योजना बनाए और इसके लिये केन्द्रीय एवं अन्य स्तर के रोजगारों में उचित आरक्षण की व्यवस्था करें।

(ख) विकलांगों के आवास की अविनाश व्यवस्था की जाय।

(ग) इनकी शिक्षा एवं स्वास्थ्य की देखरेख एवं इलाज की निःशुल्क कारगर व्यवस्था की जाय।

(घ) शारीरिक रूप में अक्षम लोगों को सक्षम बनाने के लिये जितने भी उपकरणों की आवश्यकता पड़े उन्हें निःशुल्क देने की फौरेन व्यवस्था की जाय।

(vii) ALLEGED NEGLIGENCE OF THE MEDICAL STAFF OF NATIONAL FERTILIZER LTD., BHATINDA

SHRI N. K. SHEJWALKAR (Gwalior): Sir, I wish to raise a matter under Rule 377 regarding alleged negligence of medical staff of National Fertilizer Limited, Bhatinda, causing great unrest among the employees. On the morning of 11th September, 1981, a serious accident took place near the Factory Gate between a factory bus and a scooter. One died on the spot. It is reported that on account of negligence on the part of medical authorities of the factory another young man also died. Timely attention and medical help could

have saved his life. On a previous occasion also, it is reported that doctors have been negligent in treating patients.

Unfortunately, the management is also silent and has not taken any action against the doctors. I draw the attention of the Minister of Petroleum and Chemicals and request him to intervene in the matter immediately and take suitable action.

(viii) REPORTED DECISION OF DELHI ADMINISTRATION TO RE-IMPOSE SALES-TAX ON HAND MADE MATCHES IN DELHI

SHRI N. SOUNDARARAJAN (Sivakasi): Under Rule 377, I wish to raise the following matter of urgent public importance.

In reply to a recent unstarred question on the floor of Lok Sabha, it has been stated that the Delhi Administration is thinking of reimposing sales-tax on matches of hand made sector in the Union Territory.

It is worth pointing out here that only for a short period from 1975 to 1978 there was sales tax on matches in the Union Territory and during that period matches of hand-made sector could not find a market in Delhi. With a view to encouraging the cottage and tiny sector match units, the Delhi Administration in 1978 removed the sales tax on matches made in hand-made cottage and tiny sector. When there was sales tax on handmade matches, many cottage and tiny sector units were forced to close down for want of market. After the abolition of Sales tax in Delhi, thousands of tiny units came up, generating employment in rural areas of Tamil Nadu to many lakhs of poor people. Within these three years, 80 new industrial cooperative societies enrolling about 6,000 tiny units as members have come up. These tiny match units offer only in 500 bundles, which is their daily production. The Delhi Market picks up these bundles. But the other neighbouring States demand wagonload of matches. The tiny and

cottage units cannot afford to have full load of wagons since they live day to day by selling the production of the day and earning money for next day's production. With the re-imposition of Sales-tax, these tiny units will be destroyed.

Cardboard matches are manufactured totally by hand in cottage and tiny sectors without applying any machinery in process at any stage. As such, the card board and wooden matches produced by hand should continue to get sales tax exemption in the interest of survival of thousands of tiny cottage units which are giving employment to lakhs and lakhs of rural unemployed persons.

MR. DEPUTY-SPEAKER: Now, we go to the next item.

SHRI HARIKESH BAHADUR: (Gorakhpur): No, Sir. My friend has a very very important issue.

MR. DEPUTY-SPEAKER: His name is not in the list. I cannot do anything.

SHRI HARIKESH BAHADUR: You should allow him.

श्री अशफक हुसैन (महाराजगंज) :
उपाध्यक्ष महोदय, मैंने 377 के अन्दर भी नोटिस दिया है, माइनोरिटी का सवाल आता है, उद्बल जवान आती है...

MR. DEPUTY-SPEAKER: It is not in the list. You kindly go and meet the Speaker.

Prof. Rup Chand Pal had been allowed on the same subject. It is not possible to allow the Members on the same subject. For this, you go to the Speaker. Now Mr. Sukhadia.

SHRI HARIKESH BAHADUR: You please allow him. If you do not allow him, then I may walk out.

SHRI A. K. BALAN: Rose.

MR. DEPUTY-SPEAKER: We have gone to the next item. Prof. Rup Chand Pal has already done it. It

[Mr. Deputy-Speaker]

will be a repetition. Mr. Balan, what is it that you want to say?

SHRI A. K. BALAN (Ottapalam): Sir, 3,000 students are marching towards the Parliament House. Their demands are education for all. So, I request the Minister, through you, to accept their memorandum and he may make a statement regarding this.

SHRI HARIKESH BAHADUR: Sir, he must not be ignored like this. Will you kindly allow him?

MR. DEPUTY-SPEAKER: You can meet the Speaker.

SHRI HARIKESH BAHADUR: No, Sir. We are walking out.

(Shri Harikesh Bahadur and Shri Ashfaq Hussain then left the House)

12.47 hrs.

~~STATUTORY RESOLUTION RE: Dis-~~
~~APPROVAL OF ESSENTIAL SER-~~
~~VICES MAINTENANCE ORDINANCE~~
~~AND ESSENTIAL SERVICES MAIN-~~
TENANCE BILL—Contd.

MR. DEPUTY-SPEAKER: The House will now take up further discussion of the statutory resolution re: disapproval of Essential Services Maintenance Ordinance and also the Essential Services Maintenance Bill.

श्री मोहन लाल सुखाड़िया (उदयपुर) : माननीय उपाध्यक्ष महोदय, एसोन्शियल सर्विसेज के बारे में जो कानून लाया गया है, उसके बारे में जो कल यहां पर भाषण हुए, उनको मैंने गौर से सुना।

सबसे पहले बात तो यह है कि यह जो कानून लाया गया है, उसका मतलब यह नहीं कि इंडस्ट्रियल डिस्ट्यूट एक्ट नहीं रहता है। विशेष परिस्थितियों में और वह भी खास एसोन्शियल सर्विसेज के लिये इस कानून को लाने की आवश्यकता पड़े है। अच्छा होता कि हालात इस प्रकार के न होते कि जिसमें इस कानून को लाने की जरूरत होती, लेकिन जब कि देश मुश्किल हालातों में से निकल रहा है, एक तरफ

हमारी सीमा पर तनाव बढ़ रहा है, दूसरी तरफ हमारे यहां आर्थिक दिक्कत बढ़ती हुई चली जा रही है।

जिस मंहगाई का जिक्र विरोधी पक्ष के माननीय सदस्यों ने किया उसका मुकाबला देश कर रहा है, ऐसे मौके पर अगर आवश्यक सेवाओं के अन्दर किसी भी प्रकार का गतिरोध उत्पन्न होता है तो वह देश के लिये सबसे ज्यादा खतरों की स्थिति पैदा करने वाली बात होगी।

हम सभी यह जानते हैं कि आम तौर से स्ट्राइक्स केवल इस वजह से नहीं होती कि मैनारिटी यूनियन किसी बाजब मांग को रख रही हो और उस मांग की पूर्ति न होती हो। हमने देखा है कि रेलवे विभाग के सब कर्मचारी रेलवे को चलाना चाहते हैं, लेकिन कहीं एक लोको वर्कशॉप की बांच, कहीं एक वर्कशॉप स्ट्राइक पर जा कर सारी व्यवस्था को अपसेट कर सकते हैं और आवागमन में जबर्दस्त मुश्किल पैदा कर सकते हैं। इसी प्रकार हम देखते हैं कि किसी स्टील प्लांट में या किसी प्राजेक्ट में कभी एक शाखा वाले और कभी दूसरी शाखा वाले स्ट्राइक करते हैं और उसकी वजह से उत्पादन में रुकावट पैदा होती है।

इतना ही नहीं, यह रात दिन का अनुभव है कि बहुत सी स्ट्राइक्स इन्टर-यूनियन राइवेलरी की वजह से की जाती हैं। कई जगह कोई यूनियन अपनी मांग को बढ़ा-चढ़ा कर इस बात की कोशिश करती है कि वह आर्गनाइजेशन में अपने पांव जमा सके। मैनारिटी काम पर जाना चाहती है, लेकिन एक माइनारिटी ग्रुप असम्भव मांगें पेश कर के मिलिटेंट तरीके से मैनारिटी को काम पर जाने से रोक सकता है। मैं उदाहरण दे सकता हूँ कि कुछ अरसा पहले, जबकि जनता पार्टी का राज्य था, हमारे राजस्थान में भीलवाड़ा में जब इनटक ने 20 परसेंट बोनस का फैसला किया, तो बी. एम. एस. ने कहा कि 60% बोनस होना चाहिए, और उस मांग के फलस्वरूप वहां पर 52 दिन तक स्ट्राइक चली। इस स्थिति में क्या हम यह कह सकते हैं कि यह वर्कर्स की मांग थी या

वर्कर्स के हित में इस बात को उठाया गया? तथ्य यह है कि मजदूरों में अपने प्रभाव को बढ़ाने के लिए इस तरह की असंभव मांगें रख कर स्ट्राइक करने के प्रयत्न किए जाते हैं।

आज देश में उत्पादन बढ़ाने की सख्त जरूरत है। श्री सोमनाथ चटर्जी ने इन्स्टी-ट्यूट आफ पब्लिक एडमिनिस्ट्रेशन की एक स्टडी का हवाला देते हुए कहा कि स्ट्राइक हुई, लेकिन कारखानेदारों का मुनाफा बढ़ता गया। यह तो ठीक बात है कि अगर स्ट्राइक होती है और उत्पादन कम होता है, तो मुनाफा बढ़ता चला जाएगा। यह मानने का कोई कारण नहीं है कि स्ट्राइक्स की वजह से पूंजीपतियों को कोई नुकसान होता है। स्ट्राइक की वजह से उत्पादन कम होते में पूंजीपति ज्यादा कमाएगा और देश के आम गरीब लोगों को नुकसान होगा। उससे किसी पूंजीपति को नुकसान नहीं होगा।

श्री इन्द्रजीत गुप्त (बसीरहाट) : तां फिर पूंजीपतियों को इस बिल को ओपोज करना चाहिए।

श्री मोहनलाल सुभाषिण्या : व्हाई भी पूंजीपति सामने आ कर यह नहीं कहेंगे कि हमको स्ट्राइक की वजह से ज्यादा मुनाफा होता है।

पहले कहा गया था कि इसमें लाक-आउट को नहीं रखा गया है। इस बिल में उसका भी प्रावधान किया गया है। लेकिन माननीय सदस्य कहते हैं कि उसका कभी उपयोग नहीं किया जायगा और यह सारा बिल वर्किंग क्लास के एगेंस्ट लाया गया है। मैं समझता हूँ कि वर्किंग क्लास में एक भ्रांति पैदा करने के लिए जान-बूझ कर इस बात को उठाया जा रहा है। कहा जा रहा है कि कांग्रेस की सरकार, श्रीमती इन्दिरा गांधी की सरकार, वर्किंग क्लास को एन्टा-गोनाइज करना चाहती है, उसका विरोध करना चाहती है और उसकी वाजिब मांगों को दबाना चाहती है। मैं समझता हूँ कि कोई भी इस बात को नहीं मानेगा कि डेमोक्रेसी में हिन्दुस्तान की वर्किंग क्लास

को दबाने के लिए, उसके साथ कन्फ्रंटेशन करने के लिए जान-बूझ कर इस कानून को लाया जा रहा है। जान-बूझ कर वर्किंग क्लास के साथ कन्फ्रंटेशन करने के लिए और उस अपना विरोधी बनाने के लिए इस कानून को लाना कोई भी पसन्द नहीं करेगा।

लेकिन अगर कुछ लोग राजनीतिक कारणों से वर्किंग क्लास को एक्सप्लायट कर के देश की स्थिति को बिगाड़ना चाहते हैं, या किसी राजनीतिक कारण से वर्किंग क्लास का उपयोग कर के देश में अराजकता पैदा करने की कोशिश करते हैं, तो मैं समझता हूँ कि इस बात की जरूरत है कि इस प्रकार का कानून सरकार के हाथ में रहे, ताकि जब इस प्रकार की स्थिति उत्पन्न हो, तो इस कानून का उपयोग किया जा सके। यह कानून उसी हालत के अन्दर लागू करने की बात आती है कि जब इंडस्ट्रियल डिस्प्यूट्स ऐक्ट के अन्दर जो मशीनरी प्रावाइड्ड है कंसीलेशन की, आर्बिट्रेशन की और एंडजुडिकेशन की उस के होते हुए भी कोई ऐसी स्थिति पैदा हो जाती है। उस प्रोसेस को प्राहिबिट नहीं किया जा रहा है। इन प्रोसेसेज के विद्यमान रहते हुए भी अगर कोई असाधारण स्थिति पैदा होती है तभी इस कानून को लागू करने की बात आती है। यह कहा जाय कि इस कानून के लाने से सारे इस के सम्बन्ध में जो कानून मौजूद हैं वे समाप्त हो जाते हैं तो यह कहना गलत है।

एक तरफ हम सभी यह बात कहते हैं कि रेलों टाइम पर नहीं चलतीं, टेलीफोन ठीक नहीं चलते, पोस्ट ऑफिसों में काम ठीक नहीं चलते और इन चीजों के बारे में सख्त डिसिप्लिन की आवश्यकता है दूसरी तरफ अगर डिसिप्लिन के लिए कहीं कार्यवाही की जाय और किसी जगह उस की वजह से कोई बात खड़ी हो जाय तो क्या उस को उपयुक्त कहा जायगा? क्या डिफेंस प्रोडक्शन के अन्दर जो एस्टैब्लिशमेंट्स हैं उन के क्या वह अच्छी बात है? मैं समझता हूँ कि मामले में जो प्रयत्न किए जाते हैं कि वहां भी इन चीजों को कर के चला जा सके, वह अच्छी बात है? मैं समझता हूँ कि कोई भी देश विशेष तौर से डेवलपिंग कंट्री, हिन्दुस्तान जैसा देश स्ट्राइक्स भी चलती रहे गैर-वाजिब तरीके से और देश के

[श्री मोहन लाल मुखारिया]

अन्दर यह भी उम्मीद कर के चला जाय कि देश की आर्थिक स्थिति क्यों नहीं तेजी से उन्नति कर रही है, देश के अन्दर प्राइसेज क्यों नीचे नहीं आ रहे हैं, मैं समझता हूँ कि ये विरोधाभास की बातें होंगी। आज दुनिया के अन्दर जिन मुल्कों ने तेजी के साथ प्रगति की है कितनी स्ट्राइक्स वहाँ पर होती हैं? जो कम्युनिस्ट कंट्रीज हैं क्या आज वहाँ पर स्ट्राइक्स होती हैं? क्या उन का इस का अधिकार है? एक पोलैंड के अन्दर बात खड़ी हुई तो उस के अन्दर जमीन आसमान की बात खड़ी होने लगी कि नहीं, यह तो वर्किंग क्लास के खिलाफ कोई बगावत मालूम होती है। लेकिन यह कहा जायेगा कि कम्युनिस्ट कंट्रीज में तो गवर्नमेंट ही उन लोगों की है, यहाँ तो बुर्जुवा गवर्नमेंट है, एथारिटेरियन गवर्नमेंट है, इसलिए इस का अधिकार नहीं होना चाहिए। लेकिन मैं जानना चाहूँगा कि क्या देश के अन्दर अधिक उत्पादन करने का प्रयत्न करना, देश के अन्दर ज्यादा से ज्यादा लोगों की हालत ठीक हों, इस के लिए प्रयत्न करना, क्या इस को बुर्जुवा एटीच्यूड कह कर—चला जाएगा? क्या आज पब्लिक सेक्टर जो देश के अन्दर चलते हैं वे नुकसान में चलते चले जाय और फिर भी वहाँ स्ट्राइक होनी चाहिए?

अभी कुछ दिन पहले मैं कोटा गया था। राजस्थान आज बुरी तरह से विद्युत की कमी की वजह से परेशान है लेकिन तीन महीने तक जो वहाँ नया बिजली घर बन रहा है उसके एक कांटेक्टर के लीवर ने स्ट्राइक कर दिया और सारा काम रुक गया। क्या हम यह कह कर चलें कि बिजली घर में स्ट्राइक होने की नौबत होनी चाहिए? क्या हम यह कह कर चलें कि कहीं रेलवे में स्ट्राइक होनी चाहिए, कहीं कोयले की खानों में स्ट्राइक होनी चाहिए, कहीं पीने के पानी की जो योजनाएं चलती

हैं वहाँ पर रुकावट होनी चाहिए? कहीं आइर्नेस फैक्ट्रियों में स्ट्राइक हो तो उस को राइट की तरह समझा जाना चाहिए? आज आप देखें चाहे वेस्ट जर्मनी हो चाहे जापान हो चाहे कम्युनिस्ट कंट्रीज हों, कौन सी ऐसी कंट्रीज है कि जहाँ स्ट्राइक भी खूब चलती रहती है और तेजी के साथ वे देश विकास भी करते चले जाते हैं? कुछ चीजें ऐसी स्लोगन बन गई हैं जिन्हें आम तौर पर कह कर चला जाता है कि यह बुर्जुवा गवर्नमेंट है, एथारिटेरियन गवर्नमेंट है या और दूसरे इस तरह के शब्दों को प्रयोग किया जाता है। लेकिन मैं निवेदन करूँ कि हिन्दुस्तान के अन्दर निरर्थक स्ट्राइक जैसी स्थिति पैदा न हो, देश का उत्पादन बढ़े, हमारे इन्फ्रा-स्ट्रक्चर बढ़ें जिन में हम उन्नति करने लगे हैं जैसा कि यहाँ दक्त दक्त पर बतलाया गया है कि ट्रांसपोर्ट में उन्नति हुई है, बिजली के उत्पादन में उन्नति हुई है, कोयले के उत्पादन में उन्नति हुई है, और दूसरे क्षेत्रों में उन्नति हुई है और उस रफ्तार को और तेज करने से देश आगे बढ़ेगा, लेकिन अगर उस में कुछ लोग मिल कर के अलग अलग जगह अड़चनें पैदा करें तो क्या उस से लाभ होने वाला है?

दुर्भाग्य की बात है कि यहाँ पर कम्प्लान्टेशन की एक नीति चलती है। आज देश में आवश्यकता इस बात की है कि जब यह सब कहते हैं कि आइसिस का समय है, देश के हालात आर्थिक दृष्टि से खराब हैं, तो क्या इस बात की आवश्यकता नहीं हो जाती है कि सब मिलजुल कर के चलें? मैं एसेशियल सर्विसेज की ही बात नहीं करता, मैं तो कहता हूँ सभी क्षेत्रों में मिल-जुल कर ऐसी स्थिति देश में पैदा की जाय जिस में कि उत्पादन पर पूरा ध्यान दिया

जाय। अगर जरूरत हो तो लॉग टर्म एग्रीमेंट्स किए जायें लेकिन स्ट्राइक्स को रोक कर देश में उत्पादन के ऊपर ज्यादा से ज्यादा ध्यान दिया जाए ताकि उत्पादन बढ़ सके और देश की आर्थिक शक्ति को हम ज्यादा से ज्यादा बढ़ा सकें।

इस बात पर भी जोर दिया गया कि यह कानून इसलिए लाया गया है कि आई० एम० एफ० वालों ने इस कानून को लाने के लिए भारत सरकार को मजबूर किया है। मैं समझता हूँ यह एक गलत हवा बनाने का व्यवस्थित प्रयास है, एक सिस्टेमेटिक प्रोपेगण्डा है कि यह कह कर चला जाए कि आई० एम० एफ० के टर्म्स हैं जिनकी वजह से यह किया जा रहा है। मेरी तो यह निश्चित मान्यता है और वक्त पर यह चीज सामने आयेगी कि कभी भी श्रीमती इन्दिरा गांधी ने जो, हमारी प्राइम मिनिस्टर है, जो हमारे आन्तरिक अधिकार है उनके मामले में किसी भी बड़े से बड़े देश से कोई गलत कम्प्रोमाइज नहीं किया है जिस से कि इस देश के सम्मान को धक्का पहुंच सके। आज भी हमको यह मानकर चलना चाहिए कि जो हमारे देश की आर्थिक नीति है, हमारी प्लानिंग होती है और जो राजनीतिक व्यवस्था बनाकर हम चलते हैं इस में किसी से भी किसी प्रकार का कोई कम्प्रोमाइज नहीं किया जायेगा। आई० एम० एफ० की दलील देकर एक गलत बात पैदा की जा रही है, एक प्रकार का भ्रम पैदा किया जा रहा है हालांकि किसी के पास कोई सबूत नहीं है कि आई० एम० एफ० के साथ किसी प्रकार का कोई समझौता हुआ है फिर भी रोज आई० एम० एफ० का नाम लेकर कहा जा रहा है कि आई० एम० एफ० की शर्तों के कारण ही इस बिल

को यहाँ पर लाया गया है। इसलिए आप मेहरबानी कर के इस बिल के ऊपर यहाँ आप बहस करें तो आई० एस० एफ० के प्रेशर की वजह से यह किया जा रहा है, इस दलील को लेकर न चलें तो बहुत अच्छा होगा।

हमारे समर मुखर्जी साहब ने कहा कि 1975 में जो कानून लाए गए थे उनकी वजह से विरोध पक्ष को एक होने का मौका मिला था और आज यह कानून भी उसी तरह का है। मैं निवेदन करना चाहता हूँ कि इस प्रकार की बात कह कर, इस कानून की जो वास्तविकता और आवश्यकता है उसको दरकिनार करने, से कोई लाभ नहीं होगा। जहाँ तक सन् 1975 में एक होने की बात थी यह बात सभी लोग जानते हैं कि अगर आपकी तरफ से फेमिली प्लानिंग का गलत प्रचार न किया गया होता तो आप लोग कभी भी चुनाव में कामयाब होने वाले नहीं थे।

मुखर्जी साहब ने चेलेंज दिया कि फर वही समय आ रहा है। लेकिन यह तो समय बतलाएगा कि आगे क्या होने वाला है परन्तु एक चीज जरूर मालूम हो रही है कि विरोध पक्ष दिन व दिन टूटता जा रहा है। यह वास्तविकता हमारे सामने आती जा रही है। और अगर इस कानून से आप आपस में जुड़ सकते हैं तब तो आपको हमें धन्यवाद देना चाहिए कि आपको जुड़ने के लिए एक मौका और दे दिया गया लेकिन आप जुड़ने वाले नहीं हैं। हम जानते हैं कि यह कानून बनने के बाद भी आप हर कारखाने में और हर जगह आपस में लड़ने वाले हैं।

आज बंगाल में जो बिजली की कमी हो रही है उसका कारण यह है

[श्री मोहन लाल सुखाड़िया]

कि इन्टर यूनियन राइवलयों की वजह से जितना बिजली का उत्पादन होना चाहिए वह नहीं हो पाता है। (व्यवधान) आप यह कहते हैं कि हमारी गवर्नमेंट एथारिटेरियन है लेकिन मैं यह कह सकता हूँ कि आज हिन्दुस्तान में अगर सहा मायनों में कोई एथारिटेरियन गवर्नमेंट है तो वह वेस्ट बंगाल की सरकार ही है। सभी लोग जानते हैं कि आप कितनी आजादी दूसरों को देते हैं। आप अपने को छिपाने के लिए दूसरों का एथारिटेरियन कहते हैं। (व्यवधान)

SHRI SOMNATH CHATTERJEE (Jadavpur): At least you will not be detained under NSA in West Bengal.

श्री मोहन लाल सुखाड़िया: Thank you very much. मैं यह कहना चाहता हूँ कि यह बिल जो यहां पर लाया गया है वह देश के हित में है और हमें यह मानकर चलना चाहिए कि इसका दुरुपयोग नहीं होगा। अत्यन्त आवश्यक परिस्थितियों के अन्दर इसका उपयोग किया जाएगा। लेकिन साथ-साथ मैं श्रम मंत्री जी से अवश्य कहना चाहूंगा कि जो हमारा कन्सिलियरी मशानरी है, जो लेबर डिपार्टमेंट है, जब इस प्रकार का कानून बनाते हैं तो कन्सिलियरी मशानरी और लेबर डिपार्टमेंट को काफ़ी एक्टिव होना चाहिए जिस से कि बहुत सारे चीजें उसी मौके पर और उसी जगह पर सोल्व की जा सकें। इस प्रकार का मौका न मिले कि उनकी बातों को सुने बिना कोई स्ट्राइक की स्थिति पैदा हो।

इन शब्दों के साथ उपाध्यक्ष महोदय आपको धन्यवाद देता हूँ कि आपने बोलने के लिए मुझे समय दिया।

SHRI SOMNATH CHATTERJEE: Is the hon. member saying that it is being violated by the Labour Ministry?

SHRI MOHAN LAL SUKHADIA: I am saying that they should be alert.

श्री अटल बिहारी वाजपेयी (नई दिल्ली): उपाध्यक्ष महोदय, मैंने सुखाड़िया जी के भाषण को बड़े ध्यान से सुना।

श्री मोहन लाल सुखाड़िया: अब मैं आपका सुनूंगा।

श्री अटल बिहारी वाजपेयी: अच्छा हुआ वे कलकत्ता नहीं गए नहीं तो हम उन भाषणों से वंचित हो जाते, लेकिन मुझे ताज्जुब है कि इस अध्यादेश के अन्तर्गत उनकी भेदाओं को पश्चिम बंगाल के लिए आवश्यक रूप से प्राप्त क्यों नहीं कर लिया गया। पश्चिम बंगाल के लिए अगर आपकी यह धारणा है कि सब से ज्यादा अधिनायकवाद शासन पश्चिम बंगाल में चल रहा है, तब तो आपको वहां पर राज्यपाल बनाना भी नहीं चाहिए था। शायद आपको राज्यपाल बनाने का प्रस्ताव इसीलिए आया कि पश्चिम बंगाल की सरकार के बारे में यह आपकी धारणा है। उपाध्यक्ष जी, मुझे ताज्जुब है कि आज गृह मंत्री जी भी सदन में नहीं हैं।

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI P. VENKATASUBBAIAH): He is having a Calling Attention on an important matter in the Rajya Sabha. He will be coming here soon.

श्री अटल बिहारी वाजपेयी: श्रम मंत्री महोदय तो इस मामले में संबंध रखते हैं नहीं हैं। ऐसा दिखाई देता है कि मजदूरों के मामले का, सार्वजनिक

उद्योग में काम करने वाले कर्मचारियों के मामले का और केन्द्रीय कर्मचारियों के मामले का संबंध गृह मंत्रालय से है। गृह मंत्रालय के सामने सब से बड़ी समस्या यह है कि इन मजदूरों को ठीक कैसे किया जाए। गृह मंत्रालय को यह चिन्ता नहीं है कि बढ़ती हुई मंहगाई के कारण जिसके फलस्वरूप दिन प्रति दिन उन की वास्तविक आमदनी कम हो रही है, उनके लिए परिवार का भरण-पोषण करना मुश्किल हो रहा है, उस में मजदूरों को और कर्मचारियों को राहत कैसे दी जाय। आखिर पिछले 18 महीने का इस सरकार का रिकार्ड क्या है, आर्थिक क्षेत्र में? जब इस सरकार ने मत्ता मंभाली तो होल्सेल प्राइस इन्डेक्स 223 था और इस समय प्राइस इन्डेक्स 289 है। हर महीने चार प्वाइंट से ज्यादा की वृद्धि हो रही है। लगी-बन्धी तनखाह पाने वाले मजदूरों और कर्मचारियों पर इसका क्या असर हो रहा है? केन्द्रीय कर्मचारियों को मंहगाई भत्ते की तीन किश्तें मिल जानी चाहिए थी। जनता पार्टी के राज में कर्मचारियों को मंहगाई भत्ते के लिए आन्दोलन नहीं करना पड़ा था। क्या केन्द्रीय कर्मचारी चुप बैठे रहें? आप आवाज उठाने का अधिकार भी उन से छीन लेना चाहते हैं। अब सरकार तयारी कर रही है कि आधे मंहगाई भत्ते को इम्पाउण्ड किया जाए। केन्द्रीय कर्मचारियों का खर्च कैसे चलेगा। मंहगाई भत्त के लिए केन्द्रीय कर्मचारी जिम्मेदार नहीं हैं। ये मंहगाई भत्ता नहीं चाहते हैं, बल्कि मूल्यों में स्थिरता चाहते हैं। 1978 में जो कीमतें थीं, यह सरकार उस स्तर पर कीमतों को ले आये, असन्तोष कम हो जायेगा। लेकिन कीमतें बढ़ रही हैं, यह सरकार उन्हें रोकने में असफल रही है और अब तैयारी कर रही है कि वेज-फ्रीजे कर दी जायें, बोनस

की मांगों को दबा दिया जाय, केन्द्रीय कर्मचारियों का आधा मंहगाई भत्ता उनकी इच्छा के खिलाफ सरकारी खजाने में जमा कर दिया जाय, बिगड़ती हुई आर्थिक स्थिति के कारण जो भी मजदूर अपनी न्यायोचित मांगों के लिए आवाज बुलन्द करे उस को जेल में बन्द कर दिया जाय।

उपाध्यक्ष महोदय, इस सदन में परस्पर विरोधी तर्क दिए जा रहे हैं। मैंने गृह मंत्री महोदय का इन्टरव्यू टेलिविजन पर देखा था। उन से पूछा गया कि पार्लियामेंट की बैठक होने वाली थी तो उम्मीद समय अध्यादेश निबालने की क्या जरूरत थी? बड़े मोलेपन से गृह मंत्री ने कहा—पार्लियामेंट की बैठक का समय तय करना पार्लियामेंट अफेयर्स मिनिस्टर का काम है, मैं तो गृह मंत्री हूँ मेरा काम यह देखना है कि देश में सब कुछ ठीक-ठाक चलता है या नहीं चलता है। एक सफ मरकार बहती है—एम् में इस अध्यादेश का, इस वाले अध्यादेश का, मजदूरों और ट्रेड यूनियनों के अधिकारों पर हमला करने वाले अध्यादेश का उपयोग नहीं किया, तब फिर इस अध्यादेश को निबालने की क्या जरूरत थी, क्या सरकार पार्लियामेंट के अधिवेशन तक रुक नहीं सकती थी?

उपाध्यक्ष महोदय, मुझे याद आती है—स्पीकर मावलंकर की। स्पीकर मावलंकर ने एक बार यह फैसला किया कि सदन के अधिवेशन को प्रोरोग नहीं किया जायेगा और चूंकि प्रोरोग नहीं किया जाएगा इस लिए सरकार अध्यादेश नहीं निकाल सकती। अध्यादेश असाधारण परिस्थितियों में निकाला जाना चाहिए, लेकिन अध्यादेश निकले जाते हैं—इस लिए नहीं कि आवश्यक है—

[श्री अटल बिहारी वाजपेयी]

मुद्रास्फांति को रोकने में अपनी विफलता पर पर्दा डालने के लिए, इस आरोप का खण्डन करने के लिए कि जो सरकार इस वायदे पर चुना गई थी कि कुछ कर के दिखलायेंगे वह कुछ नहीं कर रही है, तो घबराहट में, हड़बड़ी में, पैनिंग में, भविष्य की आशंकाओं से भयभीत हो कर सरकार ने अध्यादेश की तलवार निकाली है। वित्त मंत्री ने वायदा किया था—पैकेज का, एन्टो-इन्फ्लेशनरी पैकेज का, वह पैकेज कहाँ है? उस पैकेज में से यह काला अध्यादेश निकला है।

क्या कोमलों को रोकने के लिए कोई दूसरे कदम उठाए जा रहे हैं, कोई ठोस चीज की जा रही है? कर्मचारियों के असन्तोष को आप दमन के द्वारा दबा सकते हैं, लेकिन शान्त नहीं कर सकते, समाप्त नहीं कर सकते। मैं नहीं जानता—कौन सी मजदूरों को इस अध्यादेश को निकालने की। हम नहीं चाहते मजदूर कर्मचारों हड़ताल करें। हड़ताल आखिरी हथियार होना चाहिए, लेकिन हड़ताल के अधिकार को छानने के बजाय ऐसा रास्ता निकालने की जरूरत थी जिस में हड़ताल करने की नीबट हो न आये। लेकिन इस सरकार ने कर्मचारियों के साथ जो कुछ किया, रेलवे के लाखों कर्मचारियों के साथ जो व्यवहार कर रही है उस से अगर कर्मचारियों के मन में यह सन्देह पैदा हो कि सरकार उनकी कलैक्टिव—बारगेनिंग के अधिकार को छानना चाहती है तो कर्मचारियों और मजदूरों को दोष नहीं दिया जा सकता। हम नहीं चाहते कि रेलें रुकें लेकिन रेल मजदूरों पर सेबोटाज के झूठे आरोप लगा कर, निराधार आरोप लगा कर आप रेलों में औद्योगिक शान्ति नहीं रख सकते। दुर्घटनाओं के लिए रेल मंत्री जिम्मेदार है, रेलवे बोर्ड जिम्मेदार है। त्रिपाठी जी

को इसलिए हटा दिया था कि रेलें ठीक से चलती नहीं थीं और पांडे जो के जमाने में रेलें नदी में गोता लगा रही हैं। अब पांडे जो को छुआ नहीं जाएगा। रेलवे बोर्ड के चेयरमैन इन दुर्घटनाओं के लिए जिम्मेवार नहीं ठहराए जा रहे हैं और कर्मचारियों को बलि का बकरा बनाने की कोशिश की जा रही है। लोको कर्मचारियों को एक रेलवे से दूसरी रेलवे में देश में एक कोने से दूसरे कोने में स्थानान्तरित किया जा रहा है। आप कह सकते हैं कि तबादला करना कोई मजा नहीं है मगर दूसरे शहरों में जाकर मकान लेना कितनी बड़ा समस्या है, इस को हम में से बहुत से लोग अनुभव करते हैं। उन्हें परेशान करने का प्रयत्न हो रहा है। अब अगर उन में असंतोष बढ़ेगा तो यह अध्यादेश तैयार है। बिना वारेन्ट के पकड़ा जा सकता है, ममरा ट्रयाल हो सकता है छः महीने के लिए जेल में डाला जा सकता है। आप समझते हैं कि ये कदम कारगर होने वाले हैं। ये कदम कारगर नहीं होंगे। 1974 में भी नहीं हुए थे मगर पता नहीं घटनाचक्र धीरे-धीरे 1975 को ओर जा रहा है, आपात-स्थिति की ओर जा रहा है। मैं नहीं जानता इस देश की क्या स्थिति होगी। मैं नहीं जानता कि भारत के भविष्य में क्या लिखा हुआ है मगर धीरे-धीरे घटनाचक्र उधर जा रहा है और सभी विवेकशाल, सभी दूरदर्शी व्यक्ति इस बात को देख सकते हैं मजदूरों के अधिकारों पर हमला, यह समस्या का बुनियादी हल नहीं है।

MR. DEPUTY-SPEAKER: You are going to come back to power if it is like this. Why should you oppose this Bill?

SHRI ATAL BIHARI VAJPADEE: I am afraid about you. I hope when we

come to power again, you will be with us.

डा० कृपासिन्धु भोई (सम्बलपुर) : एग्रीकल्चरल लेबरर्स के बारे में एक बात नहीं बोल रहे हैं।

श्री अटल बिहारी वाजपेयी : आप बोलिए, मेरे पास समय सीमित है। वह विषय में आप के लिए छोड़ देता हूँ।

डा० कृपासिन्धु भोई : 90 परसेंट लोगों के लिए नहीं बोलते, 10 परसेंट लोगों के लिए इतना बोल रहे हैं।

श्री अटल बिहारी वाजपेयी : आप भी तो 10 परसेंट के लिए यह बिल लाए हैं, तो मैं उसी पर बोल रहा हूँ। आप अगर खेतिहर मजदूरों के लिए कानून लाते कि जो न्यूनतम वेतन उनके लिए तय किया गया है वह उनको नहीं मिलेगा, तो मालिकों के खिलाफ कार्यवाही की जाएगी और जो सरकारें अमल नहीं कराएंगी, तो उन के खिलाफ कार्यवाही की जाएगी, तो हम उस में आप का साथ देंगे।

डा० कृपासिन्धु भोई : आप को भी कुछ उन के बारे में कहना चाहिए।

श्री अटल बिहारी वाजपेयी : मुझे क्या कहना है, यह इन को बताना चाहिए, उपाध्यक्ष महोदय मंहगाई के लिए सरकार की गलत आर्थिक नीतियाँ जिम्मेवार हैं और बढ़ता हुआ भ्रष्टाचार जिम्मेवार है। पंजाब के किसानों से 130 रुपये प्रति क्वींटल गेहूँ खरीदा गया और बम्बई में वह गेहूँ 3 रुपये 30 पैसे प्रति किलो और 3 रुपये 50 पैसे प्रति किलो बिक रहा है।

एक माननीय सदस्य : लोक दल जिम्मेवार है।

श्री अटल बिहारी वाजपेयी : इसके लिए कोई दल नहीं बल्कि दलदल में फंसी हुई यह सरकार जिम्मेवार है। जिले से जिले में अनाज ले जाने पर रोक है। किसी हड़ताल की वजह से नहीं, कर्मचारियों के आन्दोलन की वजह से नहीं बल्कि इस लिए कि आप रोक लगा कर परमिट जारी करने का अधिकार लेना चाहते हैं और परमिट के द्वारा पैसा कमाना चाहते हैं।

उपाध्यक्ष महोदय, एक महीना हो गया जबकि मैंने प्रधान मंत्री जी को एक पत्र लिखा था लेकिन उस पत्र की पावती भी मुझे नहीं मिली है। वे बहुत व्यस्त हैं। उन्हें सदन में आने का समय भी नहीं है।

श्री एम० रामगोपाल रेंडु (निजामाबाद) : यह जो आप कह रहे यह सही नहीं है तीन दिन में उनका उत्तर आ जाता है।

श्री अटल बिहारी वाजपेयी : मैं आपको अपना अनुभव बता रहा हूँ। अगर आपका अनुभव भिन्न है, तो आप सौभाग्यशाली हैं, मैं आप से ईर्ष्या करता हूँ।

मैंने प्रधान मंत्री जी को पत्र लिख कर यह मांग की है कि जिन परिस्थितियों में कुछ कम्पनियों को एंडिविल आयात इम्पोर्ट करने के लाइसेंस दिए गए, उन की जांच होनी चाहिए। इन खाद्य तेलों की आयात करने की कीमत 5 हजार रुपये मीट्रिक टन है जब कि उन का बाजार भाव 9 हजार, 10 हजार रुपये प्रति मीट्रिक टन है। एक मीट्रिक टन पर चार या पांच हजार का मुनाफा है। एक कम्पनी है जिस का नाम है प्रभात सालवेंट रिकंस्ट्रक्शन कम्पनी प्राइवेट

[श्री अटल बिहारी वाजपेयी]

लिमिटेड। उसे 9-4-80 को 2 करोड़ 12 लाख 78 हजार 400 रुपये का खाने का तेल आयात करने का लाइसेंस दे दिया गया। पहले इस कम्पनी को लाइसेंस देने से मना कर दिया गया था। कम्पनी सरकार के इस फैसले के खिलाफ दिल्ली हाई कोर्ट में गई। हाई कोर्ट ने रिट को गृह कर दिया और फैसला दिया कि इस कम्पनी को लाइसेंस पाने का अधिकार नहीं है क्योंकि लाइसेंस के लिए दरम्दास्त भेजने की जो अन्तिम तिथि थी उसके बाद कम्पनी ने अपना आवेदन दिया था। रिट गृह हो गई लेकिन लाइसेंस जारी कर दिया गया। दो करोड़ के लाइसेंस का मतलब है चार करोड़ का मुनाफा। यह मुनाफा किस की जेब में गया? क्या उस कम्पनी के मजदूरों को यह बात मालूम नहीं है? क्या मुनाफा केवल कम्पनी के मालिकों के पास गया कि वे उस में हिस्सा बंटाएं? कौन कौन हैं हिस्सेदार?

एक और प्राइवेट कम्पनी है एसो-निफिटिड आयल इन्डस्ट्रीज कोइम्बेटर। लाइसेंस के लिए उसका आवेदन भी गृह कर दिया गया था। 6-2-79 को कंट्रोलर, इम्पोर्ट्स एक्सपोर्ट्स ने उनके आवेदन पर एक नोट लिखा था। मैं नोट पढ़ रहा हूँ।

"That your application recorded in this office only on 23rd December, 1978 i.e. after the expiry of the last date of receipt of applications dated 18th December, 1978. Hence your application is hereby rejected as time barred."

फिर भी इस कम्पनी को आयात लाइसेंस दे दिया गया। 29 करोड़ का लाइसेंस केवल एडीबल आयल इम्पोर्ट करने के लिए दिया गया। मैं प्रधान मंत्री से कहा था कि इस मामले की जांच होनी चाहिए अगर एडीबल आयल जो इम्पोर्ट किया

जाता है वह देश में मंहगी कीमत पर बिकेगा और आम आदमी के मन में यह धारणा होगी कि राज नेताओं और उद्योगपतियों के बीच में एक अपवित्र गठबन्धन हो गया है तो फिर आप मजदूरों से कर्मचारियों से ईमानदारी से काम करने की अपील नहीं कर सकते हैं, उन्हें हड़ताल नहीं करने की अपील भी करेंगे तो उसका असर नहीं होगा कौन नहीं चाहता कि मजदूर ठीक काम करें? लेकिन मजदूर ठीक काम करें तो अफसर भी ठीक काम करेंगे या नहीं? अफसर अगर ठीक काम करेंगे तो राज नेता कैसे काम करेंगे? जिस तरह से हम संसद चला रहे हैं वह देश में लोकतंत्र को मजबूत करने का तरीका नहीं है।

एक माननीय सदस्य : आप इसके लिए जिम्मेदार हैं।

श्री अटल बिहारी वाजपेयी : हम इसके लिए जिम्मेदार हैं, मंहगाई के लिए भी हम जिम्मेदार हैं, जो हड़तालें होने वाली हैं उन के लिए भी हम ही जिम्मेदार हैं, लाला जगत नारायण की हत्या हो गई उस के लिए भी हम जिम्मेदार हैं और आप सत्ता में आए तो उसके लिए भी हम ही जिम्मेदार हैं। यह सही बात है न? बात समझ लीजिए कि हमारी दज्जह से आपको जाना भी होगा। लेकिन यह आप नहीं मानेंगे।

उपाध्यक्ष महोदय, आपने घंटी बजा दी है। मैं अपील करना चाहता हूँ। मेरे लिए यह अध्यादेश का मामला पाकीजा मामला नहीं है। यह ठीक है कि आज देश में संकट है भारी संकट है, देश धीरे धीरे अराजकता की ओर जा रहा है लेकिन इसको रोकने का तरीका अधिनायकवाद नहीं है। यह प्रहार अब

काम नहीं करेगा। एक हथियार एक बार चलता है धीरे धीरे वह अपनी धार खोता जाता है। अगर इस देश को चलाना है तो लोगों की सहमति से, सब की सलाह से चलाना पड़ेगा। लेकिन सरकार जिस तरह से आचरण करती है उसका मैं एक छोटा सा उदाहरण देना चाहता हूँ। सरकारी विभागों में कैंटीन चलता है, टिफिन रुम्ज चलते हैं।

11 दिसम्बर, 1978 को हम ने एक एलान कर दिया था गृह मंत्रालय की ओर से कि कैंटीनों में काम करने वाले कर्मचारी सरकारी कर्मचारी माने जाएंगे उनको वे सब सुविधाएँ प्राप्त होंगी जो केन्द्रीय कर्मचारियों को प्राप्त होती हैं। अभी तक उस विज्ञप्ति के अनुसार आचरण नहीं हुआ। कैंटीनों में काम करने वाले कर्मचारी केन्द्रीय दर पर मंहगाई भत्ता नहीं पा रहे हैं। उनके लिए 95 रुपये प्रतिमाह तय कर दिया गया है, ना कम ना ज्यादा। मंहगाई बढ़ेगी लेकिन उनका भत्ता नहीं बढ़ेगा। कैसे संतुष्ट कर सकते हैं आप उनको उन्होंने बोट-क्लब पर रैली की थी, मैंने उनको हड़ताल पर जाने की सलाह नहीं दी, मगर उन से कोई भी बात करने के लिए तैयार नहीं है।

उपाध्यक्ष महोदय, मजदूरों की समस्याएँ हल करने के लिए अगर समझौते के द्वारा, बातचीत के द्वारा, आवश्यकता पड़े तो मध्यस्थता के द्वारा और पंच-फैसले के द्वारा अगर निर्णय नहीं होंगे तो समस्याएँ बिगड़ेंगी, समस्याएँ उग्र होंगी और यह डंडा दिखाकर जानी जी...

गृह सचिव (श्री बल सिंह) : डंडा तो बाद में दिखाएंगे।

श्री अटल बिहारी वाजपेयी : डंडा बाद में दिखाएंगे। जानी जी आप इरादे छिपाते नहीं हैं।

श्री इन्द्रजीत गुप्ता : पहले विटामिन टैबलेट खाएंगे, बाद में डंडा दिखाएंगे।

श्री अटल बिहारी वाजपेयी : मैं चाहता हूँ कि आप इस विधेयक पर फिर से विचार करिए और जो राष्ट्रीय संकट घिरता जा रहा है, उसको टुकड़ों में मत देखिए।

सन 1977 में ऐसी स्थिति आई थी कि हम ने विदेशों से अनाज मंगाना बन्द कर दिया था। चार साल में ही आपने हिन्दुस्तान को वाशिंगटन के बाजार में भीख का कटोरा लेकर फिर से खड़ा कर दिया। इसलिए नहीं कि हिन्दुस्तान में गेहूँ कम पैदा हुआ है, बल्कि इसलिए कि आपकी निकम्मी सरकार गेहूँ वसूल नहीं कर सकी है। पंजाब और हरियाणा के मुख्य मंत्री किसानों से गेहूँ वसूल करने के बजाय गढ़वाल में बहुगुणा को हराने में लगे हुए थे, पुलिस लेकर गए थे। किसानों को अधिक कीमत देकर गेहूँ नहीं खरीद सकते थे।

आज मैं पंजाब का दौरा कर के आया हूँ। वहाँ पर सूखा पड़ रहा है, धान पीला पड़ रहा है, खड़ी फसल सूख रही है, आसमान धोखा दे गया है, किसान को बिजली नहीं मिल रही है, डीजल के लिए फिर से लाइनें लगी हुई हैं। किसान भी भड़क सकता है। यह बिल किसान को काबू में नहीं रख सकता। देश ज्वालामुखी के मुख पर बैठा है। इस तरह से बिल लाकर और तनाव पैदा कर के आप समस्याएँ हल नहीं कर सकते। इस से पहले राष्ट्रीय संकट पर राष्ट्रीय दृष्टिकोण से विचार करने की आवश्यकता है। मगर ऐसा लगता है कि यह सरकार उस में असमर्थ है, इसकी नीयत है कि इसकी दुर्गति होने वाली है। हम लाख कहें, ये सुनेंगे नहीं, यह हमें भरोसा है।

THE MINISTER OF COMMUNICATION (SHRI C. M. STEPHEN): Mr. Deputy-Speaker, Sir, I have heard the speech of my hon. friend, Shri Vajpayee, with the expectation of something to which a reply may be due. He spoke on everything except the Bill, and everything he spoke about were subjects which were discussed here in detail in this very session—price rise was discussed, law and order was discussed and railway accidents were discussed; all things were discussed here.

MR. DEPUTY-SPEAKER: Only your Department was left out.

SHRI C. M. STEPHEN: That is becoming fairly all right; that is why they have left it. All these things were discussed.

He took advantage of this opportunity to read out a letter to the Prime Minister to bring in something...

SHRI ATAL BIHARI VAJPAYEE: I did not read it out.

13.27 hrs.

[SHRI GULSHAR AHMED in the Chair]

SHRI C. M. STEPHEN: He gave an account of what he wrote to the Prime Minister, to bring out some name and all that. I do not want to refer to them.

As far as the import of edible oil is concerned, the position today is, if a private party has to import it, a very heavy customs duty has got to be paid, unlike the public sector. The reason for its imposition was to eliminate the private sector completely from importing edible oil, which is now done by the STC. It shows the earnestness of the Government not to allow the private sector to take advantage of the scarcity in the country, to ensure that if at all import is necessary, it is in the hands of the State Trading Corporation, in order that the STC may be enabled to distribute edible oil at controlled prices.

This demonstrates the sincerity of the Government and the sincerity of the purpose of the Government.

SHRI ATAL BIHARI VAJPAYEE: There is no price control.

SHRI C. M. STEPHEN: Mr. Vajpayee said that in 1978 they passed some order about some canteen employees and he complained that it is not implemented. I am only to remind my friend that they were in power after passing that order for one full year. Have they gone to sleep after passing that order? What exactly happened to that? It is very interesting to see people operating from here and operating from there. When they said this, I was reminded of the great flurry with which my friend, Mr. Ravindra Varma brought to this House the Industrial Relations Bill and the enthusiasm of the Ministry of which Mr. Vajpayee was a member supporting that Bill. Now, they come condemning a measure which is extremely innocuous in comparison with the Bill that they brought. I will come to that later, Sir.

There are two or three points. I must own it that in all debates and the speeches made from that side, an honest attempt to make an analysis of the Bill and to examine the Bill was made by my friend, Mr. Ravindra Varma. Therefore, yesterday I stood up and pleaded with the Deputy-Speaker or the Chairman to permit Mr. Varma to complete his speech even if the speech was long. We wanted to know what exactly they had to say. There were two or three points made by him and he said that he was making that speech in an effort to convert us, to persuade us, and in the expectation that we withdraw this Bill. Well, I listened to that with the closest of attention. I am making some submission in an honest effort—I have no need to persuade him in favour of my position.

because mentally he was persuaded to this position. Even then, I am saying certain things to his conscience, to address himself and to get an answer as to whether he should not withdraw his opposition to this Bill. This is an effort that is made in Parliament. One question that was raised is: Why this Ordinance? Whenever there is an ordinance this criticism has been coming, it has been coming so often in the same manner, in a humdrum manner that this criticism has lost its trust or its validity. It has ceased to be any relevant at all. Any time an ordinance comes, this criticism comes.

Well, Sir, it is very clear that if we want to pass a Bill we can do it here. We have got the majority, we can do it here. The question is, knowing that we can do it here, why is it that we brought up this Ordinance? There was nothing for us to gain by that. If we brought in the Ordinance there must have been some reason. We are not mad caps to bring in an Ordinance which can be brought here in the form of a Bill and can be passed through in a couple of hours' time. But why did we bring in this Ordinance? Unless there were some reasons we could not have brought it. (*Interruptions*). We do not reveal all the reasons to everybody. (*Interruptions*). There were reasons. We knew what was going on in the Railways, we knew what was going on in the P. & T. we know what operation was going on in the electricity sector, we knew what was going on there. Let it be very clearly understood that we are not blind men operating in a dark room. We are operating with our eyes wide open. We know what is going on in this country. It is our duty to take whatever measures are necessary to face what is brewing up.

SHRI ATAL BIHARI VAJPAYEE: You are in panic?

SHRI C. M. STEPHEN: Whatever that may be, we know what the panic is. Who is in panic, everybody knows.

Let us not speak about it. Whatever that be, as a result of the measures we took, or the Bill that we brought in, the expected result has been achieved and we are gratified that we brought the Ordinance. This is all I want to say.

The second point he made is: Why not the Labour Minister? They do not know what Ministry must handle a particular measure. Why? This is not a labour legislation, this is not an amendment to the Industrial Disputes Act. This is an amendment spelling out a penal offence and giving out the measures which have got to be taken to meet that penal offence. A new penal offence is spelt out by this measure and is spelt out it will be a cognizable offence. Punishment is spelt out. Method of trial is spelt out. It is a pure penal legislation bringing in a penal law, refining an offence under the Criminal Law and it has nothing at all to do with the Industrial Disputes Act. This is brought in for the purpose of industrial relations. It is brought out for the purpose of public good. That is what is stated in the law.

Well, this is not the first attempt that such a law comes. In 1968 an exactly the same law came. This is only a carbon copy of that law. In 1968 the law was piloted by the then Home Minister Shri Y. B. Chavan. It was not the labour Minister who piloted that. I mean the law was piloted by many of the friends who were with the Government. They were championing the law. They put forth the law. I only put their law before them—to Shri Chandrajit Yadav, to Shri Jagjivan Ram, to Shri Ravindra Varma—who were with the Congress at that time. To every one of you, I have only to show to you—it was a law that was brought out and that law was piloted by the Home Minister. Any Minister may pilot this law but not the Labour Minister because that does not come within the purview of the jurisdiction of the Labour

[Shri C. M. Stephen]

Ministry at all. It can conceivably be piloted by the Law Minister. It is a law which has got to be by the Home Minister because the law is to spell out a cognizable offence. It has to be an administering Ministry with respect to this law. Therefore, it is very clear, if it is properly done as was done in 1968 that the law be piloted by him. The law is very simple one. It is very very simple one. I do not know why all this furore is made about this law. I really do not understand. (Interruptions) It very simply says:

"If the Central Government is satisfied that in the public interest it is necessary or expedient to do so, it may by general or special order, prohibit strikes in any essential service specified in the Order." And that Order will have validity only for six months.

This is the simple small law that is brought in. Government is not banning the strikes. It is giving the power to the Government. In a particular situation if the Government is satisfied that it is necessary in the public interest to declare that strike in a particular area will remain illegal for a term of six months—simple, nothing more than that. The question that we have to consider is—are essential services matters of special concern to the society or not? This is the first question. The second question is, if essential services are matters of concern to the society can a situation possibly arise in which the society's interest will have to be protected and for that purpose interruptions in the essential services should be guarded against or not? If that is in the public interest, then the third question is whether strikes and lock outs can be declared illegal or not? These are simple things that arise. Is there something like essential service or not? It is a new concept? Does anybody disagree that the essential services do deserve special protection and concern? My friend Shri Ravindra Varma was very eloquent yesterday. He gave me certain

words of wisdom of 1978 when he piloted the Bill. He told us why the essential services must be specially provided for.

"Then the question was raised about the right to strike in certain cases.....

May be, supply of drinking water is essential, may be supply of electricity is essential; hospitals may be essential.....There may be certain services which should never be vulnerable for society. It cannot be dismissed as illogical or anti-working class because electricity is required for the working class as well. Drinking water is required for the working class as well. It is a common need of the society."

"Therefore, if it is said that a right can be exercised, but it should be exercised in such a manner that there is an effort at reconciliation between the right of an individual or a group and the paramount right of the society or the State to exist, if it is to guarantee those individual rights, I beg to submit that there is nothing illogical, there is nothing ante-diluvian and there is nothing anti-working class in it. Why are you shying away from that consideration? Certainly have a strike. But if the strike should mean that people should die on the operation table and that for days on end, people should be locked up in lifts because lifts do not work since electricity workers have gone on strike, then certainly not only the workers and the employers but every child, every adult and every citizen is concerned.

That is why he brought in this law. This is the implication and the importance of an essential service. An essential service has always been conceived as something which must be treated differently from the other services.

There is the Industrial Disputes Act. I agree with Mr. Ravindra Varma that under the law today, a strike

in essential services cannot be a legal strike. The provisions are very clear about it. There are three provisions. No. 1 no strike without notice: No. 2, the moment a notice is given, it must be deemed that the conciliation effort has started and No. 3, no strike when the conciliation is pending. It applies to an essential service only. It does not apply to other services. In essential services, you cannot declare a strike without notice; the moment a notice comes, under Section 20, it is deemed that the conciliation has begun and, during the pendency of conciliation, the strike shall not be held and, if the strike is held, it is illegal, which means even under the law today, it is accepted by everybody that under the Industrial Disputes Act, an essential service is put in such a manner as making the strike practically impossible. But the people do it. That is a different matter.

Then comes the question, if that is so, why this particular Bill. The simple question is: The right of an individual or groups of individuals *vis-a-vis* the right of the society. We do not deny the right of an individual; we do not deny the right of groups of individuals. Between the right of an individual or groups of individuals *vis-a-vis* the right of the society, which has got to prevail is the question. When a conflict arises between an individual and the society, between a group of individuals and the society, and when the society is threatened, there arises the domain of the penal law. That ceases to be the domain of industrial relations law. That becomes the domain of the general law and the penal law can come in that position. This is taken out of the industrial relations law. It is because, under the industrial relations law, it is made illegal as an instrument to assist, to maintain a sort of conciliation in that organisation. It may fail; it may succeed. But we cannot take the risk of failing and succeeding and, pending that, keep the whole thing

on shelf and be completely immobilised. Therefore, the penal law has got to intervene and the society takes note of it.

Practically, this Bill is only a declaration that the underlying principle with respect to essential services must be accepted and implemented strongly and vigorously in the protection of society. There is nothing more than that. The illegality of the strike is already there under the Industrial Disputes Act. But a situation can arise in which the illegality which is spelt out as an instrument of maintaining industrial peace will not meet the needs of the situation of a threat to the society. When that situation arises, what exactly should be done is the question.

SHRI RAVINDRA VARMA: (Bombay North): May I put question? What is your objection to compulsory conciliation or arbitration being linked with the prohibition of a strike?

SHRI C. M. STEPHEN: As I said, this is not under the Industrial Disputes Act. My very senior colleague, Mr. Sukhadia, has already explained it. Industrial Disputes Act is not there. I am coming to that. I spelt out that this is a penal law. Nothing more than that. The other things do not come in here at all. That we will consider when we consider the Industrial Disputes Act which is under consideration. I do not want to go beyond that.

When a situation like that arises, three points of view are possible. One point of view is to help the society. "We care more for the strike and the right for the strike and, therefore, we will battle for that. We shall not touch it and we are happy about it because by the strike the society can go to pieces. This is what we want." That is one point of view, which is represented by Shri Somnath Chatterjee and Shri Samar Mukherjee and I do not know whether Shri Indrajit Gupta will come into that. That is one point of view.

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The second point of view is saying that we are not satisfied with giving that right to the Government. Essential services are important. Any strike will remain banned.

"Declare strike for ever" that was the stand which was taken by the Janata Party.

Our stand is the middle stand.

(Interruptions)

I am coming to that. The documents are here. We say that there can be a confrontation but confrontation may not be big enough to warrant the declaration of strike illegal. There may be a friction. It may not be big enough. For example, they declared a Bandh in Kerala and essential services came to a stop on that day. If Mr. Ravindra Varma's laws were passed, then, those strike would have been illegal straightaway. But we looked at it and said "It is one day's affair. Let us not take note of." We had not declared it illegal. Let us continue. After all, one day or two days do not matter. It will come back. I am saying that a situation can arise where there is a confrontation and the society is affected, but not affected so seriously as to deprive the working people of their right to go on strike. When they go on strike, if the situation is so serious that society's interests are so damnified as Mr. Ravindra Varma's patient dying on the table, the misery being to be caught up in the lift that is going up and the electricity being cut off, water being cut off and people struggling, at that situation, we may consider whether in the public interest action has got to be taken under the penal law to see that the society's interests are protected. These are the three approaches to the same situation. These three approaches have been demonstrated here. The only thing is in the name of the unity of the Opposition, my friends of the Communist Party were able to rope in my friend Mr. Ravindra Varma also and make him plead for a position

which was disputed in 1978. I must congratulate you on that. You have been consistent right through as far as India is concerned, not elsewhere. you are continuously consistent. But under the myopic vision of becoming revolutionary overnight, nobody is going to be deceived by my friend who jumped the Communist wagon and started shouting Tolstoy slogans and swallowing what he said in 1978.

SHRI RAVINDRA VARMA: I am very sorry. I was very clear when I spoke yesterday. I said that the distinction, between essential and non-essential services is there. But the question is whether the prohibition of strikes, is linked with conciliation. I said therefore you cannot puncture me on that, and I repeat it. I am not surprised that you said this. You should not punch.

SHRI C. M. STEPHEN. I will never punch, my friend. I will come straight to this Industrial Disputes Act. What is the Industrial Disputes Act? My friend Mr. George Fernandes is here. All revolutionaries are completely there. The Bill is with me. All revolutionaries are here. Shri Vajpayee was a Member of the Cabinet. Shri George Fernandes was a Member of the Cabinet. They passed the Bill and came with the recommendation that the House may accept it. Clause 90 "No employee employed in any essential service shall go on strike in breach of contract." It is a total ban.

SHRI RAVINDRA VARMA: What is said about arbitration? You read only in parts. That is not surprising.

SHRI C. M. STEPHEN: I am coming to that. This is in Clause 90. I am only saying that you have completely banned.

MR. CHAIRMAN: Mr. George Fernandes will speak after this.

SHRI INDRAJIT GUPTA: On a point of order, Sir. He has been at great pains to explain that this is not

a labour law, this has nothing to do with industrial relations; it is only a penal law which is meant to define a cognizable offence; it has nothing in common with the Industrial Disputes Act. Then why do you permit him to spend the time of the House on this?

MR. CHAIRMAN: They wanted him to speak.

SHRI C. M. STEPHEN: He referred to this. I did not refer to the Industrial Relations Bill. When you come and say that the Government must not assume the power to evaluate a situation and decide whether or not to declare a strike illegal and when an attempt to get that power of declaring a strike illegal in a particular situation is condemned as Draconian by Mr. Ravindra Varma, I will have to tell him that what he had sought from this House was not the power to evaluate a situation but to declare for all time that any strike in the essential services shall remain illegal. I have a right to show him back.

As I have said, there are three methods in which you can approach. Your method was to totally ban the strike, to which we never agreed; our Party did not agree to that. Our Party has said this. We are not against this sort of thing coming in. In 1968 we brought forward. We are not running away from that. This is the record of 1979. This is the record of my friends. Mr. Vajpayee was becoming very eloquent on behalf of the working class and their rights and all that. I do not know where his conscience went to sleep when he blessed this Bill and sent it on over here. Mr. Ravindra Varma made such an eloquent speech about essential services and the sanctity of the essential services. This is the position I wanted to explain. My friend says, it is alright if you are bringing in a in-built machinery for resolving all these things. Here again I wanted

to show you this. As Mr. Sukhadia pointed out, the Industrial Disputes Act is there. Crucial provisions have been made for essential services there. As I said, the conciliation is presumed to begin the moment strike notice is given. Section 12 says that the proceedings shall be started in essential services immediately; the word is 'shall'. With respect to the other things, it is 'may', but with respect to the essential services, in the Industrial Disputes Act, the word is 'shall'. And the report must be submitted within fourteen days of the initiation of the conciliation proceedings. This is section 12(6). An expeditious action is contemplated, when strike notice in essential services is given; the conciliation machinery has to start the proceedings; within fourteen days, investigation must be completed and the report will have to be submitted; and Government will have to take a decision as to whether to send it for adjudication or not. In the meanwhile, arbitration can be initiated. The whole in-built machinery is there. What is it that my friends brought in the Industrial Relations Bill? They said that, initially, there must be bilateral talks, and for 60 days bilateral talks can go on; after 60 days, if the settlement has failed, then both the parties, either jointly or severally, may approach the conciliation officer, and the conciliation officer if it is an essential service, shall begin the conciliation proceedings; he can carry on for 60 days; after 60 days, if he has not completed it, then he shall report to the Government. So, in the whole thing, 120 days are gone. And Government will consider the matter for 60 days, and after 60 days may either send it for adjudication or record this matter. We said this that within fourteen days, the whole thing will have to be completed and a report must be given. They took it out and transferred it and said sixty days, sixty days and sixty days—six months. Until then the workers must remain like this; he has no right to go on strike because the

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strike is completely banned. So, if there is any strike, it is illegal. We would take away the right to strike. There is this in-built machinery. His argument is that if this in-built machinery is there, then it is all right.

Well, Sir, the inbuilt machinery is there and the Home Minister stated that we assume the responsibility the moment the strike is declared illegal: we assume the responsibility to ensure that the conciliation machinery goes ahead and a proper peace is brought about. He will be able to do that. When it comes to the responsibility of the Home Minister, peace is brought about by a final decision—not by a danda of rule—and this is done. Even then it is not a question of declaring every strike as illegal. It is not that way.

As far as my friends there are concerned, I do not know why they should oppose this Bill. I can understand their communist friends—I can understand Shri Tridib Chaudhury or I can understand Shri Chitta Basu opposing this. There is one more thing which I want to mention here. Here is a discussion on 1978 Bill. All my friends participated in the discussion. The funny thing was nobody attacked 9A and 9B, 92 was attacked; 93 was attacked. They attacked; the ballot. The trade union was attacked. They never spoke a word against Clause 90 because they knew that the essential service clause will be taken care of. Therefore, they had no objection at that time to declare it as illegal in a blanket way. Their objection was only with respect to the other clause and not with reference to this.

Therefore, with respect to my friends there who were with the Congress in 1968 who were with the Janata in 1979, if they have got any sense of honesty, political sobriety, they should not put up with the plea

of opposing this bill that this is more than diluted. It only seeks to assume power to declare a strike as illegal. Well, Sir, when there was a Reserve Bank strike, they brought about an ordinance declaring it illegal: in Assam strike we brought about an Ordinance declaring it illegal. For certain things you promulgated an ordinance. The only question is that if a situation arose, you promulgated an ordinance declaring that as illegal. Illegality can be brought in. There is no quarrel at all. What about the strike in the Reserve Bank? It had to be declared as illegal. An Ordinance was brought about declaring it as illegal. All are agreed on the result. The only question is: should it be by an ordinance or should it be by issue of a notification? They say that let it be by an ordinance; We say that let it be by a notification. In the eye of Parliament this is what we are saying. The result is the same—either let it be by an Ordinance or by a notification. For every incident they say that the ordinance is law for us. For them every incident which warrant us to issue a notification declaring it as illegal is no solution. You do not want any power at all to declare the whole lot of thing as illegal. This was your solution which we have not accepted. This covers all the spectrum of Congress and Janata. In Janata all the other parties are involved. That means the Janata of not to-day but the Janata of that day. Janata of that day will include B.J.P.; Janata will include Lok Dal. If they all put together it will come to about 90 or so. of the political spectrum of our country. In 1968 we found that it was necessary; in 1978 they found that it was necessary and, in a more crude manner, when the Reserve Bank strike came out, they found it was necessary. **Therefore the Essential Services must be protected.** That position has been shared by political opinion which covers over 90 per cent of the political opinion of this coun-

try. There are some Communist friends. You forgot about that. I would appeal to you to tell as what would be your position in that situation. Yesterday, I put a question to Shri Samar Mukherjee namely between the confrontation, solidarity and the Polish Government, what was his stand. He said let us speak about this. My friend who is always flying away to the socialist countries is coming and giving us lectures. But when he comes to this, he says let us speak about this and let us not speak about others.

14 hrs.

SHRI SUNIL MAITRA (Calcutta North East): Solidarity has given you the answer. We are going to function within the framework of the socialist system and in the socialist system there is dictatorship of proletariat. You do not know what dictatorship of proletariat meant?

SHRI C. M. STEPHEN: Mr Maitra, Please fix up a time, I will come and take a class from you.

SHRI SUNIL MAITRA: Please do come. (*Interruptions*)

SHRI M. M. LAWRENCE (Idukki): Solidarity is being instigated by V.I.Ps....

(*Interruptions*)

SHRI KRISHNA CHANDRA HALDER (Durgapur): You should learn lessons from the Marxists.

SHRI C. M. STEPHEN: I have got with me two journals. One is "New Age" and the other is "People's Democracy". "New Age" is under CPI and the "People's Democracy" is under CPI(M).

SHRI ATAL BIHARI VAJPAYEE: You read them regularly.

SHRI C. M. STEPHEN: Yes, very regularly. I read *Organiser* also. These are the 3 journals I read every day. Now, Sir, look at this heading "Warning to Polish Strike-makers".

SHRI INDRAJIT GUPTA: They are quoting what somebody else said.

SHRI C. M. STEPHEN: Who is that somebody else? Do you want me to tell that? Do you want me to read it out, that is, the complete article?

AN HON. MEMBER: What is wrong about it?

SHRI C. M. STEPHEN: Nothing is wrong. Here is a precious statement:

"Of decisive significance now is to overcome the false conviction that it is possible to seek and obtain wage increases without raising the production and productivity. The line of agreement must find support in a joint labour front. This is the key for solving our Polish problems in 1981."

So, one principle is spelt out which has got the approval of Mr. Brezhnev. We completely support you in your stand is regard to the Polish question. Whatever stand we take here is the same stand that you take there. But you take one stand here and take different stand there. (*Interruptions*). Now, the position is this. They say:

"Of decisive significance is to overcome the false conviction that it is possible to seek and obtain wage increases without raising the production and productivity."

This is the principle on which they proceed. Now, the People's Democracy is under CPI(M). They are very furious. Concessions were given to Solidarity. They come out again in an editorial on the Polish crisis. They say:

"The developing Polish crisis brooks no delay; the unfettered rights conceded to "Solidarity" and its subversive leadership, should no more be tolerated".

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This is the statement that they have given. (Interruptions)

AN HON. MEMBER: Why are you getting perturbed?

SHRI C. M. STEPHEN: No concession must be given according to the Polish Government. No quarter must be given (Interruptions). Solidarity, according to the official report of the Polish Government given here, represents 90 per cent of the workers. It is like many of our trade unions here. 90 per cent of the membership are concerned. Without violence, they give a call to the people to strike. It is on that that the revolutionary fervour of the Marxist Communist Party of India says "we have given enough concession. Stop. Don't give this concession. Call them and put them under fetters and when we here come and say not all industries this covers . . . (Interruptions).

SHRI SUNIL MAITRA: That is the difference.

SHRI C. M. STEPHEN: I am coming to that, my dear friend. The question is that when we come here, not with a proposal for strikes being banned, not with a proposal that in all the industries the strike ban must be considered, but with a limited proposal that with respect to the essential services if a situation arises, rather than having to promulgate an ordinance we may be enabled to declare a strike illegal by a notification—here comes the revolutionary fervour calling it draconian, barbarous, authoritarian and all the rest of it. One is here, and the other one is there. My friend says: they are socialists, and you are a capitalist. (Interruptions). Correct, according to you. According to us, we differ. (Interruptions). Your argument is, according to us: "the Polish system is good; the Soviet system is good; the Chinese system is good; and, there-

fore, there ought to be no strike and production must go up; no wage increase unless production comes up." That is your argument.

SHRI KRISHNA CHANDRA HALDER: There is no exploitation in a Communist country.

SHRI C. M. STEPHEN: For us also, our country is dear, our system is dear. We can differ. We can differ. Our System. . . .

SHRI SUNIL MAITRA: A donkey has got four legs, and the goat has got four legs. Therefore, donkey is a goat. This is his argument.

SHRI C. M. STEPHEN: Very good. If he thinks only about the donkey, what can I do? All he thinks is only about the donkey. He looks in the mirror in the morning, and thinks about the donkey. What can I do?

(Interruptions)

SHRI SUNIL MAITRA: Sometimes I also think of you.

SHRI C. M. STEPHEN: That is all right. Their argument is this: according to the party in power, the system is good, inviolable, must be protected and fostered. Therefore, what should be the course to be taken? That is the question. For them, the system is good. Therefore, a course is indicated. According to us, the system is good here. It is for us to protect that system. If we have to protect that system, productivity must rise, and if productivity is to rise, there must be control of fissiparous activities. We, in our own way, are justified in saying that to preserve the system, we also ought to take certain measures, so that the thing does not crumble. Let us be even in applying this. This is what I have got to say: don't be hypocritical in this particular manner.

We know what is behind this campaign. We absolutely know it. I don't expect my friend Mr. Ravindra Varma to accept my appeal to withdraw his resolution. (Interruptions)

MR. CHAIRMAN: They say you have spoken for more than one hour.

SHRI C. M. STEPHEN: I will talk for five minutes more.

• SHRI SATYASADHAN CHAKRABORTY (Calcutta South): I would very humbly ask one question of Mr. Stephen, but not as vociferously. Does he want to have a debate on Poland? If so, we will have it. Now it is out of context. If he wants to have a debate on Poland, he should have given us the opportunity to explain. My question is: "The Solidarity went on strike for the arrest of three men. And how is that Government dealing with this strike? I don't go into the political question. But how do you treat your workers here? And how are they treating their workers there?" That is a moot question.

SHRI C. M. STEPHEN: That is a very very good question. According to us, we are treating the workers much better than how you are treating them elsewhere.

SHRI SATYASADHAN CHAKRABORTY: Are you sure?

SHRI C. M. STEPHEN: Absolutely sure. I am asking you this.

You have got a trade union. We have got INTUC. AITUC was the only trade union before 1947. INTUC came in, in 1947. Do you make the claim that you are equal to INTUC? Have you got a claim that its membership is equal to INTUC's? Did you put a claim before the Labour Commissioner?

SHRI SUNIL MAITRA: Agree to secret ballot; then your claim will be punctured.

SHRI C. M. STEPHEN: Puncture punctured. The point is.....

SHRI SATYASADHAN CHAKRABORTY: Again a simple question....

SHRI C. M. STEPHEN: I don't yield. (Interruption) I don't yield. I have got to complete my speech. I don't want to speak about Poland. I wanted only to tell them: suppose you are in power, what will be your attitude? Somebody said you are going to come to power in Delhi. Suppose that dark day dawns which will never, suppose they ever come to power, what would be your attitude on this question? Would you allow strike anywhere? Have you ever allowed strike anywhere? After coming to power, had you allowed strike anywhere? We are the people who are protecting strike as a basic right to the workers. But when the strike is misused by certain people, we have got a duty to protect the workers also.

What is the trade union pattern? I will take P&T. The major union is NIPTE; they claim to be so. I asked about their membership. They told me that their membership is 1.90 lakhs. They had written to me. My total staff strength is 8.1/2 lakhs. They wanted to go to the strike ballot. They went to the strike ballot. They are not revealing the result of the strike ballot. Suppose the leadership of 1.90 lakh people goes on strike, declare a strike and resorts to violence, am I not to protect the workers who want to run the establishments to serve the people or am I to remain like this? (Interruptions) Most of the things are like this. There is a tendency which is coming up; the tendency is the agitation not among the poor workers but among the white collared workers, the bank workers, the LIC workers, that type of workers who are the best paid. There we find the agitation today. These agitations are spreading violence. The statistics are here. Every agitation is increasing and the violence is coming up. From 1970

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onwards we have got the figures. In 1977—11 per cent; in 1978—12 per cent; in 1979—15 per cent; in 1980—17 per cent and till June 1981—18 per cent. Why these violent agitations because they are losing their hold on the workers and they want to carry out this struggle by violent methods. If that happens, if violence is the method that they are resorting to, then certain other measures may have to be taken. This is the situation that is coming up. The point is that our country cannot afford this. Let us consider this difficulty in the setting up of power stations, telephone industry and all that. There are considerable difficulties in the setting of these; and when we set up all these, then the persons who are going in are going in as the trustees of the people. They can have no right to hold the people to ransom and demand that things must be done. They have every right to negotiate and the Government and the management will be willing, have been willing to give the maximum possible.

In 1975, the income of those sectors of people was about Rs. 5000. Today, the average has come to Rs. 12,000; that is the average that has come. It is not as if it is frozen; it is going on. But an attitude was envisaged that we will fight against the entire people: we will hold the sinews of these people; we will take away the services belonging to the people; we will put the entire people to ransom or pay them what they are demanding; if that is their demand, the Government will not be prepared to hand over the people as ransom to them and we will see that services have been (Interruptions) For that purpose, steps have got to be taken carefully. We do not want the draconian measures that Mr. Atal Bihari Vajpayee, M, George Fernandes and Mr. Ravindra Varma wanted declaring strike in every essential service illegal; we are not prepared to take the position that the people

may go to the Arabian Sea and we do not care. But we will see that they are protected in order to subvert the whole thing; we are not prepared for that. Our position is that we accept the right of the strikers as the basic right and we do not want to interfere at all. But when it comes to essential services, we do not want to put blanket ban on them. If a situation arises where as a result of confrontation, the peoples' rights are damaged, then as a measure of protecting the people we may have to consider declaring a strike illegal and taking the steps further in a very rare case. In 1968, we brought it. From 1971 onwards, there was the Defence of India Act upto 1977. Now all those years, we never declare a strike illegal. The strike was declared illegal in 1968 when an Ordinance was promulgated when Mr George Fernandes wanted to put the whole railways off the track. Then the strike had to be declared. Otherwise strike was never declared illegal; and after the Ordinance has been brought in, strike has been declared illegal. We are discriminatingly doing it, discreetly doing, as a father would deal with a child when he misbehaves. That is the attitude we adopt. (Interruptions)

AN HON. MEMBER: Oh! oh!

SHRI C. M. STEPHEN: In that spirit we have brought forward this Bill. I appeal to the House to accept this. I also appeal to Ravindra Varma to withdraw his opposition and to stand by us again as he did in 1968. (Interruptions)

AN HON. MEMBER: You are a black leg!

SHRI C. M. STEPHEN: I am not a black leg against the nation like you!

SHRI INDRAJIT GUPTA: I am only requesting you that the time of the Members on this side should not be reduced because of the excess time given to Mr. Stephen. He is

not the Minister piloting the Bill at all.

MR. CHAIRMAN: It will not be reduced.

Mr. George Fernandes.

SHRI GEORGE FERNANDES (Muzaffarpur): Mr. Chairman, Mr. Stephen has been very eloquent, in defending what is really not defensible. We all know his sophistication in arguments. But today he blended that sophistication with a lot of sophistry. He started by saying that this is a penal law. And then he spent half the time he was on his legs by juxtaposing a penal law with an industrial relations law! This is where sophistry comes in with sophistication. He then tried to talk of the constitution in support of this measure, by going back again to 1978, and in the process Mr. Stephen very conveniently forgot that, that INTUC of which he is so proud, also demonstrated against that industrial relations law right outside the gates of Parliament. So, that 90 per cent amounts to zero. Because, every trade union organisation that was associated with Janata Party, each one of them had opposed that Bill that was brought forward by their own party. And the great patriots of the 1968 law and those who are now holding this baby in this House joined the Janata Party, Trade Unions, joined every trade union organisation in the country, Marxists, the non-Marxists in opposing that law, which was an industrial relations law. It was a Bill which was not enacted. And this is again where sophisticated gets blended with sophistry.

I do not want to defend the Janata Government's Industrial Relations Bill. I opposed it then. And the trade union movement in the country, of which I am also a part and have always been a part, opposed that Bill.

I was very much a part of that opposition.

AN HON. MEMBER: You were a member of the Cabinet then.

SHRI GEORGE FERNANDES: Fair enough. I was a member of the Cabinet. As a member of the Cabinet I took responsibility for whatever my Government had done at that time. But as a part of the trade union movement of his country I opposed that Bill and I supported those workers who came out in the streets of Delhi to oppose it.

I thought that Mr. Stephen would throw some light on the real need for this law. Because we had earlier read in the newspapers that he was one of those who were very unhappy with it; that he was fighting out in the Cabinet: that he was.... (Interruptions)

SHRI C. M. STEPHEN: I deny it.

SHRI GEORGE FERNANDES: ... that he was keen that the law should be withdrawn.

SHRI C. M. STEPHEN: I deny it.

SHRI GEORGE FERNANDES: Thank you. I am glad that I gave him an opportunity to put the record straight as far as he is concerned. But he came with some arguments here. He said, we know what was happening in the railways. What was precisely happening on the railways? I know that the railwaymen submitted a charter of demands in August last year and I also know that the Railway Minister and the Railway Board have not found one minute as yet, twelve and a half months after those demands were submitted, to talk with the organisations of railwaymen. Is there anything more that you want to tell us than what you know that for twelve and a half months your Government is refusing to meet the leaders of the recognised unions on the railways?

[Shri George Fernandes]

Earlier during this year, we had the locomen's strike. You did not have this ordinance at that time, but you had the National Security Act and you used it. But do you know the reason for that struggle? Have you got yourself briefed from the Railway Minister? Are you aware, is the Government aware, of the fact that the locomen did not put forward one single demand to this Government? All that the locomen said was, "Please implement the agreements that you arrived at with us". Nothing more, nothing less. Is this what you had in your mind when you made this statement?

You contradicted yourself in regard to the P&T. You said that you have 8½ lakhs of workers under your jurisdiction as Minister of Communications while the NFPTE, which conducted the strike ballot has one lakh and a few thousand workers. Did the one lakh and a few thousand frighten you, who are holding sway over 8 lakhs of people? You are contradicting yourself when you use that as an argument—that you knew what was happening in P&T as an argument in justification of this law, which as I said, is not one that can be defended, not even by Mr. Stephen.

Yesterday the Home Minister waxed eloquent in his own style. We all know that he has a tremendous capacity to make any serious subject into a hilarious kind of discussion. In fact, the *Hindustan Times* comments on the performance of the Home Minister yesterday and I quote the *Hindustan Times*:

"For a debate on such a controversial Bill, Mr. Zail Singh was sometimes flippant".

But then, that is his prerogative. We do not grudge him both his capacity to reduce anything serious into flippancy and to indulge in it to the extent he wants to. But his defence of this Bill yesterday, a Bill that is patently anti-worker, anti-people, and

anti-democratic—that is why I call it an obnoxious piece of legislation—his defence yesterday lacked conviction. Mr. Zail Singh made some very interesting observations. He said, this Bill is aimed at the welfare of the workers. I would like to know what exactly welfare means in the dictionary of these people. We know what it means in the Government of India's lexicon. We have the report of the Ministry of Labour, where welfare is concerned with the workers recreational facilities, hospitals and such other benefits that are made available to them. How is this Bill concerned with the welfare of the workers? Then he went on to say that it could check the exploitation of the workers and would prove to be revolutionary for them. It is hilarious, is it right. But how could it check their exploitation and by whom? I have here with me a booklet, the labour statistics put out by the Government of India earlier during this year. We have here the statutory minimum wages that are available to the working people. I think, the Minister for Labour is sitting here just now. I do not know how many of them are aware that in Andhra Pradesh the statutory minimum wage is Rs. 2.50 per day.

SHRI M. RAM GOPAL REDDY: No, it is Rs. 5/-.

SHRI GEORGE FERNANDES: These are your statistics. You are more qualified to speak on all aspects of sugar and not on the minimum wages. These are the Government of India statistics.

श्री एम. राम गोपाल रेड्डी : यह पुराना है।

SHRI GEORGE FERNANDES: 1981.

The minimum wage available in Bihar is Rs. 1.75, Himachal Pradesh Rs. 2/-, in Maharashtra 97 paise.

श्री एम. राम गोपाल रेड्डी : मैं इंटरस्ट नहीं कर रहा हूँ लेकिन महाराष्ट्र में इण्डवते जी को मालूम है, उन से पछि 10 रुपये से कम नहीं है।

SHRI SOMNATH CHATTERJEE:
Is it published by Mr. Antulay?

MR. CHAIRMAN: This is a book published by the Government of India and according to him, it is 1981 edition.

SHRI GEORGE FERNANDES: What is the exploitation that the Home Minister has outlined to end? Is this the exploitation that is built in the minimum wages legislation, the exploitation that one sees every day right over here in Delhi? When the matter pertaining to the ASIAD construction workers figures in this House, the Labour Minister had to stand up and say: Yes, we admit that there is exploitation. There is exploitation of the bonded labour right over here in the capital city and neighbouring States, which has figured in the discussion in this House and outside in the last one year. What is the exploitation?

Then, Sir, here is a gem: 'This Bill put a restriction on the rich so that the rich might not suck workers' blood.'

SHRI RAVINDRA VARMA: Who said this?

SHRI GEORGE FERNANDES: The Home Minister. This is yesterday's debate.

I am very happy that finally they have discovered that the rich do suck the workers' blood. It is only an admission which is worth noting. But for the rest, how does this Bill really put a restriction on the rich so that the rich might suck workers' blood? What is the provision in this legislation which hurts the rich? If the hon. Home Minister is trying to tell us that it is those clauses of this Bill which are concerned with lock-outs and lay-offs...

MR. CHAIRMAN: Probably he means that.

SHRI GEORGE FERNANDES:.... then I must say that our Home Minister is capable of tremendous imagination which defies our imagination.

Our Home Minister has made certain statement which needs to be taken note of and countered. He went on to say that 'the so-called labour leaders incited the workers, they delivered lectures in favour of workers, but they enjoyed dinners with the management.'

I am sure, the Home Minister is very familiar with this culture, but he should not throw this on the face of those who are concerned with workers' bread and butter and their rights in this country. If there are trade union leaders who indulge in this kind of a habit then certainly this Bill is not aimed at them. This Bill is aimed at trade union leadership that is concerned with the workers' rights, when the workers are denied their rights and they get involved in action. Here we heard Shri Stephen just now, when he referred to the railway strike, when he referred to every other agitation that we had. All that was not related to the dinner, all that was concerned with the workers' right, with the workers' problems. Then he says: "in order to control such elements, if a provision regarding incitement was not kept in the Bill, how else could we tackle them. In other words, the Home Minister has been frank enough to admit that this Bill is directed against the trade union leadership, that it is directed against the workers at a certain level, and more particularly it is directed against the trade union leadership. He could not, in his exuberance, hide this naked truth.

The Home Minister also made much of the fact that this piece of legislation has a provision regarding lock-outs and lay-offs. Here again he made a very interesting point. He said that it was correct that the provision regarding lock-outs and lay-offs was not there in the Ordinance. Then, in his reply

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to the criticism which the hon. Member, Shri Somnath Chatterjee made, while moving the Resolution, he went on to say "for its inclusion in the Bill the credit went to the Prime Minister". Of course, I would like to know what is it that has happened in the last 20 months in this Government for which the credit does not go to the Prime Minister, could somebody from the Treasury Benches tell us?

PROF. MADHU DANDAVATE (Rajapur): They dare not.

SHRI GEORGE FERNANDES: Even in the Antulay affair they had to bring in the Indira Pratibha Pratishtan. Is there anything for which the credit does not go to her? I do not think I should offend you too much. But, otherwise, I am sure all of you would even like to admit that the credit for all of you being here also goes to her, I am sure none of you would deny that. I am sure all of you are very proud of it.

SHRI P. VENKATASUBBAIAH: We are proud of our leader. We are not a pack of cards like you.

SHRI GEORGE FERNANDES: I am very glad you are proud of your leadership.

PROF. MADHU DANDAVATE: This he said only to go on record.

SHRI GEORGE FERNANDES: Please endorse what you said.

SHRI P. VENKATASUBBAIAH: Mr. Dandavate, do not be cynical.

श्री सत्यसाधन चक्रवर्ती : एक मंत्री है, बाकी सब आप मंत्री हैं ।

SHRI GEORGE FERNANDES: I am aware of the fact that they are proud that they are here because of their leader. I am also aware of the fact that they are very proud of their leader. But I am only making a point that in response to the criticism the Home Minister said that the credit for the inclusion of this provision regarding lock-out and lay-off went to the

Prime Minister. My point, therefore, is: who takes credit for this Bill, in the first place, bringing forward an ordinance, handing it over to the President for his signature on the 26th of July? Who takes credit for that?

Once again, in his enthusiasm, the Home Minister has brought his Government to ridicule, and quite deservedly, without knowing what he was doing. Then there was a demonstration outside the Prime Minister's house, arranged by the party itself, in support of the Ordinance, "hail the leader" demonstration. Someone said: "here is a Bill, which is of course very good, we welcome it since it has come from you, but you have forgotten the employers" at which the all-knowing omniscient leader said "you are wrong; it includes the employers; it takes care of lock-outs, it takes care of lay-offs". Finally, when it was discovered that there was no such provision, that the leader had made one more *faux pas*, they have come forward with these two little clauses very grudgingly. And there finally you decided that if any one of these employees should at all be arrested under this law as and when it is enacted, you may even send him to jail for a period up to six months. If a worker goes on strike, he goes to the jail for six months, some one who leads that strike, some one who offers even a cup of tea to the workers who are on strike under this law goes to the jail for one year and an employer who sends 1,000 or maybe 5000 or may be 10,000 workers out of job by lock-out—it has never happened, but it may happen. (Interruptions) It has never happened in this country. You have the National Textile Corporation. The National Textile Corporation have two lakhs of employees today. Is the Home Minister aware of the fact that every mill that the National Textile Corporation had, was acquired after it was closed down by the employers? Is he aware of the fact that every mill-owner whose mill got closed and finally got converted into the National Textile Corporation as an industrialist still rules the roost,

that nothing has been done to him, nothing has been done to him? How many factories are closed today all over the country? How many industrial units are sick today? Earlier, during the Session we passed legislation taking over the Dalmia-Dadri cement company. It was closed down for one year. It is a Dalmia unit. Dalmias have no problem, Dalmias are expanding, Dalmias are prospering like any other industrial house. But Dalmia-Dadri was shut down. A thousand workers were made jobless till the Government moved in and took over the mill and wiped all the losses, and they have once again provided jobs to the poor workers.

THE MINISTER OF HEALTH AND FAMILY WELFARE (SHRI B. SHANKARANAND): To whom the credit should go now?

SHRI GEORGE FERNANDES: We are not discussing about the credit. We are discussing the manner in which employees are dealt with in this country, how the employers are dealt with in this country and how workers have been dealt with.

Sir, I will not go into the arguments which my honourable colleague, the Member from Bombay North has so brilliantly presented in this House while opposing this Bill. But I would certainly like today to ask the Government: What is the basis of your policy, what exactly are you trying to do? I am posing this question in all seriousness because I would expect a very serious reply from them. I have here the Sixth Five-Year Plan document. This is an introduction by the Prime Minister and I hope they will not disown this document as they disowned all other documents. I am not discussing this document, but I raise a very fundamental question on the labour policy of the Government. On page 102 of this document they talk of labour and labour welfare policies in the whole Chapter, Chapter XXIV on labour and labour welfare. This is how they introduced the Chapter:

"Labour policy derives its philosophy and content from the Directive Principles of State Policy as laid down in the Constitution and as has been evolving in response to the specific needs of the situation and to suit the requirements of planned economic development and social justice. It is the product of tripartite consultations in which representatives of working class, the employers and governments have been participating at various levels."

"Participation of the parties so vitally concerned, lends the product the strength and character of national policy. The aim is to promote co-operation between workers and employer in order to improve production and working condition and to promote the interest of the community at large."

Now, Mr. Stephen and yesterday the Home Minister talked about the interest of the community. Now, it seems they have come to the conclusion that the only way they can promote the interest of the community is to bring forward this Bill which seeks to ban or which seeks to declare every strike in this country illegal. Mr. Stephen, no doubt, indulged in sophistry when he tried to say that this is very different from the Industrial Relations Bill. The whole exercise was to prevent strike in certain cases—a blanket ban. They are only trying to take power. The Industrial Bill identified specific industries. They said that in this essential service sector we would like to have compulsory negotiations, arbitration within a specific time period. He made much of the sixty days. But the Bill says within sixty. It provides even for imprisonment upto one year to an employer who refuses to negotiate, who refuses to recognise the negotiating agent. You are taking planket power in this case to declare any strike illegal. Let us not try to indulge in sophistry or mislead ourselves that you have identified certain industries as essential services.

Clause 2. (xvi) "any service in connection with affairs of the Union."

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not being a service specified in any of the forgoing sub-clause."

What is essential? 'Any service in connection with the affairs of the Union'—the Government employee working in the Secretariat—North Block and the South Block! 'Any service in the Union' has not been specified here, it is bound that you are taking powers to declare that as an essential service. Why do you fool us? Why fool the workers? Why indulge in sophistry in this House and bluff even this House?

Look at the next clause—xvii

"Any other service connected with matters with respect to which Parliament has power to make laws and which the Central Government being of opinion that strikes therein would prejudicially affect the maintenance of"

Technically, I am sure, Parliament has a right to make laws in regard to workers who are employed in a tea shop in the city of Delhi. I am sure the Parliament has the right to make laws in regard to the barber shops in every union territory. I am sure they have not denied themselves that right under the Constitution. So, in other words if the workers in a tea shop at Connaught Place have a grievance which is very genuine and they go on strike, you are acquiring power here to say that their strike can be brought within the mischief of this Act and that strike can be banned.

So, what are you trying to do? You speak of essential services alone being covered by this? You try to give specific, special definition to essential services and then try to juxtapose it with the Industrial Relations Bill that was piloted by Shri Ravindra Varma.

Even where essential services are concerned I would like to ask—have you finally come to conclusion that short of this legislation, short of banning strikes, is there no way for you to move forward? That is what Mr. Stephen told us and that is what

your Government would have us believe. If that is so, what happens to this document? Are we to sell it in the raddi? Is that all this document has now come to? This House is to discuss this document later during this week. I read out here one paragraph, para 24.22, p. 404:

"It may also be stressed that if the huge investments made during the Five Year Plan are to yield desired results, certain important measures cannot be delayed for long. For example, the core sector including power, energy, coal, steel and transport needs to be insulated against uncertainties of the industrial relations situation to the maximum extent possible. If adequate consultative machinery and grievance procedures are evolved and made effective, strikes and lock-outs can become redundant in these industries. In other areas also, strikes and lock-outs should be resorted to only in the last stage."

In other words, this document admits that there is an essential sector and we must evolve a machinery which makes strikes redundant in those sectors. This is precisely what Mr. Ravindra Varma has been pleading in Government and in Opposition. We may have our disagreement on the scope and on the overall significance of that legislation. But this is precisely what he said. This is precisely what you say in your Plan document that you want this House to discuss in all seriousness.

Now, you bring forward a piece of legislation where you admit, a member of your Government intervening in the debate admits, that you have no more concern with industrial relations where essential services are concerned and that essential services are now a matter for penal laws. Whether it is essential services or non-essential service, nobody goes on strike for the pleasure of it. Strike becomes necessary in this country because

there are problems. The workers are facing problems for which the right solutions have not yet been found. We need not discuss solidarity here. Let us discuss our workers, let us discuss their problems.

Tihar Jail is very much in the news in the last few months. I would like the Home Minister to lay on the Table of the House the diet chart of the prisoners in Tihar Jail. I have with me the diet chart of prisoners in all the prisons of Maharashtra—Government Gazette. I will read out the diet chart, if it is going to make any impact, any impression, on the people who are today propounding this law and telling us that this is the answer to the problems of workers; it is more industrial relations; it is no more settling their problems; it is no more that philosophy and policy that is outlined in this document and that is penal laws that will deal with the problems of workers.

This is the latest diet chart. I will read out that chart so that the size and the gravity of the problems that bother the working class are properly understood in the right perspective. I read out:

"A prisoner in a Maharashtra jail gets 30 g. kanji, 540 g. of cereal every day, 270 g. of rice, 115 g. of dal, 260 g. of vegetables, 15 g. of cooking oil, 20 g. of salt, 9 g. of condiments, 5 g. of tamarind, 55 g. of onions thrice a week, 85 g. of gur once in a week, 30 g. of vegetable ghee once a week, 30 g. of gram flour once a week and 680 g. of fuel to cook food."

I would like any member to work out how much this works out in rupees and paise. It comes to Rs. 5/- per day. In Tihar jail, if the Home Minister is asked to lay the diet chart on the Table of the House, it works out to Rs. 6/- per day. A diet costing Rs. 6/- is prescribed for one prisoner per day in the jails of this country. I did not read out sugar, tea powder or of even a drop of milk. This is the raw diet of a prisoner.

SHRI P. VENKATASUBBAIAH: I do not know how long Mr. George Fernandes will speak. What is the time allotted? The time has to be kept up according to the suggestion made. (Interruptions)

I have got every right to ask. When Mr. Stephen was talking, you asked him. I have got a right to ask.

SHRI GEORGE FERNANDES: I shall be concluding.

Now this works out even if you hold it at Rs. 5/- as I said in Delhi it is Rs. 6/- for a prisoner. It is Rs. 150/- per month, the diet of a prisoner. This does not include the cost of clothing, rent of the house, electricity, water and transportation to and from the place of work. It does not include the cost of medicines, of entertainment and of education of children. This is the diet. Rs. 150/- per head is what you give to a prisoner within the prisons of this country. An average family, according to ILO records and according to your Labour Ministry's documents and according to your own planners documents, consists of 5 adult units. So Rs. 150/- multiplied by 5 adult units you give to the people of this country. the diet that is available to the prisoners in the prisons of Delhi and Haryana and Maharashtra and Gujarat and Tamilnadu and every State. Just to give that raw diet, you need Rs. 750/- per month. Add to it the rent of the house, clothes, the children's education, of some entertainment, illness, the transport cost and you can work out yourselves, what a worker should get and what he is getting. Now you come to this law and tell us that it is no more industrial relations; It is no more employer-employee. It is the penal law and we shall deal with in a penal way. The Minister Mr. Stephen was proud of the 800,000 men. I would like to ask him whether his men are proud of him, 250,000 of them who are known as extra-departmental employees, are

[Shri George Fednandes]

getting Rs. 125/- per month. All those employee are there. What are they getting? You have not paid even a dearness allowance which become due in April. I am going to serve a notice of strike on you today though this law does not require me to serve a notice. I would like to serve a notice today that we shall organise a strike. We shall organise strike. I would like to know whether and when you will pay us dearness allowance, Mr. Home Minister. I would like to know whether you will pay us our increased wages. I would like to know whether you will departmentalise the extra departmental employees. I would like to know whether you will give us the minimum diet which is available to the prisoners of this country. Clothes can wait, house rent can wait, children's education may wait, but, will you at least give us, the right diet which is today available? Therefore, I know that it is high time to make an appeal to the—I do not use the word 'conscience', not after Antulay, that mistake I shall not make—is there any good sense left there, is there the capacity to understand the gravity of the situation? My colleague Mr. Vajpayee was saying that we are moving in a certain direction which is sending shivers in the minds of those who are concerned with this country and if your only reply is that, I will say "We fought you in 1975 and 1976" and if you create a situation like that I warn you we shall fight you in the same way in 1981 and 1982, whenever it becomes necessary. With these words I support the resolution and I oppose the Bill.

SHRI FRANK ANTHONY (Nominated—Anglo-Indian): Mr. Chairman, Sir, I do not propose to emulate my friend, Mr. George Fernandes, nor do I propose to use all the information that I elicited from him in cross-examination. But I am a little amused at his flamboyant arithmetic. According to him, no worker in this country, no family in this country should get less than—I do not know

how he has worked it out—so many thousands of rupees. My first question is: what do you pay to the judges of a High Court? They barely get Rs. 2,000/- each in hand, per month, and a judge of the Supreme Court about Rs. 3000. Without being too personal, I wanted to ask Mr. Fernandes how he lived for so many years on Rs. 200 a month. (Interruption). It was very recently. As I said, I do not want to use what I elicited from him in cross-examination, but I was a little surprised that, even uptill recently, a person of his background, a person of his sophistication, could live on Rs. 200 a month. ask him, "Where did you eat?" and he said, "I ate in my office, on my office table". I asked him, "Where did you sleep", and he said, "On my office table". The person who engaged me had spoken—with due respect—about his strong sexual proclivities. I did not pursue that or ask him, where he exercised his sexual proclivities; I did not want to persuade that (Interruptions) I stopped at that.

AN HON. MEMBER: It is not proper.

SHRI FRANK ANTHONY Yes.

These flamboyant arguments carry us nowhere. Quite frankly, this Bill errs on the side of latitude. My friend, Mr. Somnath Chatterjee—I knew his father better than I know him—said, "Look at this Bill; arrest without warrant; six months jail" i do not think he knows much about the criminal law. Otherwise, he would have known that, under the criminal law, any offence which is punishable up to two years, is triable summarily...

AN HON. MEMBER: It depends on the Magistrate.

SHRI FRANK ANTHONY: It depends on the Magistrate. But the power is there. What he is impliedly arguing is that these people should not be punished upto six months, they should be punished upto two years, so that they can have the warrant.

procedure. This is what, by implication, he has said....

SHRI SOMNATH CHATTERJEE: Criminal lawyers themselves become criminals.

SHRI FRANK ANTHONY: I am just trying to show that my friend also emulating the flamboyance of some union leader. *(Interruptions)* I am not attacking anybody: I am merely replying.

Mr. Stephen was dealing with certain essential services. They have been defined—Posts & Telegraphs, Railways, Aerodromes, and so on. But what has been forgotten is that these are not only essential—Mr. Stephen kept on underlining 'essential to the society'; I am speaking in the context of what the country is facing—these services, many of them, are critical not only for our society but for the defence of the country also. Now, what are we dealing with? We are dealing with essential services. We know that the public sector accounts for three-fourths of the organized sector of workmen. We also know that the public sector, which represents three-fourths of the organized sector, is infinitely better paid than the millions in the unorganized sector. And yet to-day we see what is happening. Here is an invitation to the public sector to continue to play havoc with the economy. Somebody referred to it....*(Interruptions)* What I have forgotten you are yet to learn—still very much.

15 hrs.

What I am trying to say in this think it is Mr. H K L Bhagat who referred to the fact that there are several public sector undertakings which went on strike for a period of 77 days. He did not spell then out, Hindustan Aeronautics, Hindustan Machine Tools, Bharat Electronics—all critically involved in defence production. 77 days and 125,000 people and the country lost Rs. 200 crores....*(Interruptions)*.

I am sorry my brief was perhaps much better than what my friend has had. What were they fighting for? As I understood it....*(Interruptions)* I keep my files for many more years than my friend does. They were fighting for parity with Bharat Heavy Electricals Ltd. That is how I understood it. Now, Sir, this BHEL it not only a high-wage island but it is an ultra high-wage island....

15.01 hrs.

[MR. DEPUTY-SPEAKER in the Chair]

SHRI SOMNATH CHATTERJEE: On what basis were they getting? It was on the basis of an agreement.

SHRI FRANK ANTHONY: Sir, are we to have this running commentary? Sir, they were asking for parity with BHEL, an ultra high-wage island. And what are my friends doing? They were pleading for workers in these ultra high-wage islands. Take the Life Insurance Corporation.

I read another article about them. Their Assistants draw more than the Joint Secretaries in the Government of India. Even then, every now and then they want to go on a strike.... Every now and then they want to go on a strike. And somebody said and I think Mr. Stephen read out the figures and he showed the degree of violence because so many of their so-called union leaders are people—either unemployed or unemployable and their only living is to mislead the workers. I remember I met a number of colliery owners when the collieries were not taken over. I asked them how they were managing. They were managers. They said, 'We have no trouble at all. Most of the Union leaders get cars from us. We give them all kinds of allowances. We get them all kinds of amenities. So, we have no trouble, Sir, this is the tragedy in the country. They are people who are easily purchaseable and they compete with one another and

[Shri Frank Anthony]

their only stock-in-trade is to jump on every agitational band wagon.

What happened in the Eastern Coal Fields. I have a cutting here from the *Statesman* of 3-7-81. Because the workers were encouraged to beat their officers, 10 collieries had to close down. And what was the loss? 3500 tonnes of the best coal per day were lost because the so-called Union leaders encouraged their workers to beat their officers. This is the kind of thing they are indulging in. Today let us be quite frank....(Interruptions) This kind of cheap insinuations are not going to put me off. It was his leader who said, 'You see what happened in 1974. You see what happened in 1975. You did see what happened in 1975. You were driven out. So you will be driven out again....' (Interruptions) Mr. Chatterjee, you have to live many times before you even remotely become a representative as I am. I represent a whole community. I lead a whole community. ...

MR. DEPUTY-SPEAKER: He is a full-fledged Member of Parliament.

SHRI FRANK ANTHONY: What I was trying to say is this....(Interruptions). Mr. Deputy Speaker, am I to put up with this? ...

MR. DEPUTY-SPEAKER: You need not reply to the side talks. They are not being recorded here.

SHRI FRANK ANTHONY: Sir, I was referring to his leader. ...

SHRI JANARDHANA POOJARY (Mangalore): Sir, I invite your attention to Rule 349. The hon. Member there should set an example. A member shall avoid making a running commentary when speeches are being made in the House. The hon Member being a senior member and also being a Chairman should not pass remarks like this.

MR. DEPUTY-SPEAKER: You may continue, Mr. Anthony. Mr. Poojary,

when Shri Chatterjee sits here, he is a Member of Parliament. Only when he sits here, he is the Chairman.

You are a Member of Parliament and you can enjoy all the facilities and privileges.

Mr. Anthony, you may continue.

MR. FRANK ANTHONY: What I was saying was this. The great leader of his party said that for what you did in 1975 you had to pay the penalty in 1977. He forgot to carry it to the logical conclusion. What happened in 1979? The same people were swept back to power. And that is one of the criticisms; I am going to make it against the Home Minister. They were swept back to power because the people recognised that after having seen $2\frac{1}{2}$ or 2-4/3 years of non-government, they wanted a strong, a firm, Government. That was why the Cong. (I) were swept back to power.

That was because this Government gave this country during the Emergency more production and more discipline and law and order than before. That was why this Government was swept back to power. What are the conditions today? We cannot discuss this Bill in a vacuum; it is a temporary measure. To-day what is happening? This country is facing an imminent attack from Pakistan. I believe that sooner than later, because the Reagan Administration goes on pouring in huge amounts of sophisticated arms to a neighbour, that Pakistan, under an unprincipled and brutal military dictatorship, will aggress against us by using these American arms. That is the imminent danger which we are facing today.

In this context, are we going to plead with the public sector undertakings whose services are critically essential for the defence of this country that they should be given the right to strike? In any case I do not understand this. As Mr. Stephen said, there

is no blanket ban, I would have said that they might identify the area of essential services. But, I do not agree with what Mr. George Fernandes said. He only read out parts of Clause (XVI) and (XVII). He said that we might add chaiwallahs to the essential services. That is not correct. The conditions and the qualifications as such that these are necessary for the life of the nation, the people. Distribution of tea is not essential for the life of the nation. So what I am saying is this. You should have placed a blanket ban on strikes in the essential services after identifying them. At present strikes as such are not prohibited. It is only after the Government proclaims that it is in the public interest that the strike should be prohibited, that is then prohibited. After all whatever my friends were pleading for? In the context of this imminent threat from Pakistan we are facing also the inflation menace which makes the Government vulnerable. Inflation is not only in this country. It is raging through the world. Fortunately, whatever my friends on the other side may say, the Government has stemmed this economic drift that was precipitated by the non-Government that preceded it. You see this marked improvement in the infrastructure that underpins the economy. I have got the latest figures with me. There has been a 17 per cent increase in power production and 114 million tonnes of coal production—a record production—and steel is now in the conditions of a glut. Some people forget this.

I am coming to the inflationary pressures that are breaking the back of everybody—not only the back of the common man, not only the back of the workers but also the back of the middle and upper-class as well as upper-middle-class. What is the greatest single impetus to inflation? It is the repeated increase in oil prices and derivatives of oil. Forty per cent of the inflationary impact is due to this

repeated increase in oil prices and prices of its derivatives.

Sir, I was reading in Article from a London magazine where an economist has said that India has not passed on the burdens sufficiently to the users of oil, diesel, etc. I may not agree but at least what Government is trying to do—as they say—is that we have to increase oil price because we are wanting to increase the exploration for oil. And I am hoping that in the next five years we will become almost self-sufficient in oil.

Mr. Deputy Speaker, Sir, the position is axiomatic. We are also facing an imminent attack from Pakistan. Then there is this monster of inflation; how do we meet it? It is only by keeping production more or less in pace with demand. What alternative have they? As I say Government has allowed a lot of latitude after they prohibit a strike that is against the public interest. They have said that those penal provisions to which Mr. Chatterjee referred to as arrest will apply. Now what happened during the non-Government period of two and a half years. There was an insane level of mandays lost. I think Mr. Bhagat tried to refer to it. I have got the figures. Forty-four million mandays were lost in 1979 because there was no Government worth the name. Because you had a nearly insane Government the country lost forty-four million mandays.

Sir, I read an Article by a reputed economist where he has said that if you can bring down that insane level precipitated during the Janata non-regime you can add 500 to 600 crores to your production. Further he said that if you can increase production of power, diesel and steel by 10 per cent you will add another 2,000 to 3,000 crores to your production. And this is exactly what the Government is doing.

[Shri Frank Anthony]

MR. DEPUTY-SPEAKER: Please conclude.

SHRI FRANK ANTHONY: Mr. Deputy Speaker, Sir I had to say a lot. I was President of the oldest national union of the Railways and have always been the champion of their cause. They are among the best paid people in the country. I am not suggesting for a moment that you don't meet them or you don't have conciliation or you don't give them their legitimate dues. I was one of the first to welcome the latest amenities granted to locomen.

Sir, recently you had a strike called by an illegal locomen's union. I am glad that Government stood firm. But I am not glad that you dismissed 3,000 people. I myself would say, go into the cases of the dismissed employees. But what I do say is that the people who indulged in arson, the workers who indulged in violence must never be re-instated. That is the grievance I have with the Cong. (I) Government that during a strike called by people who were virtually anarchist and whose avowed purpose was to cripple the Government and the country they have been taken back. I am talking about 1974 strike.

MR. DEPUTY-SPEAKER: Please conclude.

SHRI FRANK ANTHONY: Now, a word about banning of strikes. You are not banning them. It is qualified. You prohibit a strike in an essential service if you find that it is against the public interest. That was an elementary duty in the context of the circumstances that the country is facing. But my grievance against the Government is this and I want the Home Minister to listen to me. What are you doing with regard to runaway inflation in respect of essential commodities. I do not know whether my friend will pass it on to him. What

is the Civil Supplies Minister doing? I want him to reply to me if he is listening to me. What are you doing to stem this runaway spiral of prices with regard to the essential commodities? What are you doing? Nothing at all. Every day you are in effect reducing the pay packet. My wife tells me "you are a busy man, concerned in appearing in cases. But every day these people are pushing up the prices of essential commodities." Now, it is not every one who can eat mutton. My dog also eats mutton. So I have to pay Rs. 20 per kilo. From Rs. 16 per kilo, it has gone up to Rs. 20 per kilo in two weeks. Fish has also gone up from Rs. 18 to Rs. 24 per kilo. Vegetables which the common man eats like 'bhindi' costs Rs. 8 or Rs. 7 per kilo; tomatoes cost Rs. 8 per kilo; dhal—the poorest people who use to feed their children with chappathi, dhal costs Rs. 7 per kilo. And when my servants—fortunately my wife can afford to pay them Rs. 10 and Rs. 12—go and say "Oh, the Home Minister has said you can buy sugar at Rs. 7 per kilo, the reply is go and get it from the Home Minister. I am coming to the conclusion of my argument. What are you doing now? We gave you recently the preventive detention power, with regard to the essential commodities. What are you doing? I say nothing. I ask why you should again not do something. During the Emergency, you locked up these people. You have the same powers to do that. As I said recently, if you lock up a thousand of constituents of Shri Atal Behari Vajpayee in Delhi, you will find overnight the prices of all these essential commodities will come down. Why are you not doing it? There seems to be complete paralysis in this matter. Why are you not doing it? This is my greatest grievance. I am not worried about the figure of the whole-sale price index. People are not worried about the figures of the whole-sale price index. The whole-sale price index does not affect the stomach of the people. It is the god-forsaken essen-

tial commodities that are going up. Every day, day in and day out, the prices are going up. (Interruption).

Now, what I am saying is this. Somebody has said that you have taken away the fundamental Right to strike. I do not think Mr. Chatterjee could have told this. He knows a little more of Constitutional law. In regard to the right to strike the Supreme Court said "yes, you may have the right to demonstrate under Article 19(1)(a) and (b). But certainly you have no right to strike. There is no Fundamental Right to strike. These people, because they do not read much, are not unduly informed; they make up with flamboyancy. They have in effect to destroy their own workers. I was one of those who was against taking property rights out of the Fundamental Rights. In every civilised democratic society, there is a fundamental protection to property. Now, you have taken property out Tomorrow, if you get a Leftist Government, they will expropriate your savings, if you have got any, I may have a little more than you have; they will expropriate them. They will expropriate the pensions, they will cut down wages by wages by half because there is no protection in the Constitution for wages, for savings, for salaries about which my friends are talking so much and in the same way they must have talked about the property being taken out from the Fundamental Rights.

MR. DEPUTY-SPEAKER: You have touched on all points of all Sections.

SHRI FRANK ANTHONY: I would like to end on this note. In to-day's trade unionism, as I have already said that there is competition among trade union leaders. Competition is leading to intemperate demands. Trade unionism is not only chaotic, but it is anarchic. Here are the trade union leaders who are basically anarchists who boast of their capacity to cripple the Government. If they cripple the

Government, they will be crippling the country; and if they cripple the country, they will cripple our defence. And if they cripple our defence, they will destroy the country.

15.20 hrs.

ARREST OF MEMBERS

MR. DEPUTY-SPEAKER: I have an announcement to make, regarding the arrest of Shri A. U. Azmi.

I have to inform the House that the following wireless message dated 14 September 1981 addressed to the Speaker, Lok Sabha has been received from the Sub-Divisional Magistrate, Jaunpur, U.P. today.

"Shri A. U. Azmi, Member Parliament has been arrested on 14 September 1981 at 12.30 hours at Jaunpur under section 151 Cr. P.C. by police and sent to District Jail, Jaunpur, u/s 107/116 Cr. P.C. by Sub-Divisional Magistrate, Jaunpur, a 13.30 hours same day."

I have another announcement regarding the arrest of Shri B. D. Singh.

I have to inform the House that the following wireless message dated 14 September 1981, addressed to Speaker, Lok Sabha, has been received from the Superintendent, Central Jail, Naini, Allahabad, U.P. to-day:

"Shri B. D. Singh, M.P. arrested under section 188 I.P.C. on 14-9-1981 and confined in Central Prison, Naini."

15.22 hrs.

MOTION RE. CONTEMPT OF THE HOUSE

MR. DEPUTY-SPEAKER: As the House is aware, at about 11.40 hours to-day, a visitor calling himself Dudheshwar Roy, son of Shri Brahm Dev threw some papers from the Visi-

tors' Gallery on the floor of the House and shouted slogans. The Watch and Ward Officer took him into custody immediately and interrogated him. The visitor has made a statement and has expressed regret for his conduct.

I bring this to the notice of the House for such action as it may deem fit.

SHRI C. T. DHANDAPANI (Pol-lachi): Some of the Members of DMK in this House have been arrested to-day in Madras. That has not been intimated to the House. That is a breach of privilege of this House.

MR. DEPUTY-SPEAKER: Let the present item be completed.

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI P. VENKATASUB-BAIAH): I beg to move:

"That this House resolves that the person calling himself Dudheshwar Roy, son of Shri Brahm Dev who threw some papers from the Visitors' Gallery and shouted slogans at about 11.40 hours to-day and whom the watch and ward officer took into custody immediately, has committed a grave offence and is guilty of the contempt of this House.

This House further resolves that he be let off with a stern warning."

SHRI INDRAJIT GUPTA (Basirhat): Who gave him his admit card?

MR. DEPUTY-SPEAKER: That we will see. The question is:

"That this House resolves that the person calling himself Dudheshwar Roy, son of Shri Brahm Dev who threw some papers from the Visitors' Gallery and shouted slogans at about 11.40 hours to-day and whom the watch and ward officer took into custody immediately, has committed a grave offence and is guilty of the contempt of this House.

This House further resolves that he be let off with a stern warning."

The motion was adopted.

15.25 hrs.

STATUTORY RESOLUTION RE. DISAPPROVAL OF ESSENTIAL SERVICES MAINTENANCE ORDINANCE AND ESSENTIAL SERVICES MAINTENANCE BILL—Contd.

MR. DEPUTY-SPEAKER: Before I call upon another Member to speak, I would like to inform the House that I propose to call the Home Minister to reply at least at 4 p.m. Shri Somnath Chatterjee would thereafter reply to the debate on the Statutory Resolution moved by him.

The Statutory Resolution, amendments to the motion for consideration of the Bill, and the motion for consideration would thereafter be put to vote.

Now I call upon Shri Indrajit Gupta. I am informed by the Minister of Parliamentary Affairs that they had a meeting with the Opposition also. (Interruptions) Now Shri Indrajit Gupta. I will call you all. Time has been allotted to all of you. We will allow you. Only your party leader is speaking now.

SHRI INDRAJIT GUPTA: There should be some balance in time allocation. Mr. Stephen took about one hour.

MR. DEPUTY-SPEAKER: That is the time allotted to Congress (I) party. When we started, that party had 1-37 hours. Only from out of that time did he speak. He has not spoken, taking your time. (Interruption) For your party, the time is six minutes. Time is allotted to each party. That is the procedure.

SHRI INDRAJIT GUPTA (Basirhat): Sir, I do not propose to repeat what I had said at the introduction stage.

Many of those points have also been covered in other speeches. I am very much worried by the unanswered questions which are remaining hanging in the air. Those questions had been raised. I am prepared to raise them again now, but I have no assurance that any reply will be forthcoming, good, bad or indifferent. Those questions are being studiously avoided and that is why the intentions of this Government are suspect. Let me start with a very simple question which I had asked. I am surprised that nobody even bothered to give a reply. What kind of respect they hold this House in, I do not know.

The Ministry of Home Affairs circulated this paper headed "Memorandum as to why the essential services Maintenance Bill could not be introduced in advance as required under Direction 19(b) of the Speaker." I had mentioned this in the introductory stage that it is stated here that the reason for the delay was that "a statement of policy setting out the views of the Government on the question of the redressal of the genuine grievances of the workers was also to be finalised along with the Bill. Despite sincere efforts, the Bill and the statement of policy could not be finalised earlier than the 7th September, 1981," from which any man would conclude that now by the 7th September, both the Bill and this promised statement of policy had been completed. I asked that day where is the statement of policy? Of course, it is not a Bill; it does not have any legal sanction; it can be gone back on the next day by the Government; nevertheless I want to know what kind of norm is this that the paper is circulated, addressed to the Speaker in which the main reason for the delay put forward is this; and now we are given the Bill. Where is that statement of policy because it says, "a statement of policy on the question of redressal of the genuine grievances of the worker." So, the genuine grievances of the workers do exist, can exist; that is admitted; and

some policy regarding the redressal of those grievances should be there. So, kindly, let the Home Minister not just blindly and cynically refuse to answer this question; and I do not want him to fish out of his file and flourish it at the House. Where was it? Why was it not circulated? Why has it not reached the members upto this stage? It is an extraordinary thing. There is no reply.

My hon. friend, Mr. Ravindra Varma, dealt at great length with the provisions which were there in the Bill which was brought by the Janata Government about how the machinery for the redressal of the grievances was also provided for. Of course, we never supported that Bill because in our opinion there were many bad things in it also. But here is an extraordinary thing. Nobody wants to tell anybody what they propose to do about the redressal of the grievances. Anyhow, for the moment, I would like an answer to this question, when he solemnly assured the House and the Speaker that you were busy preparing a statement of policy, that you got delayed; and now you, just calmly, without a word of apology or regret or an explanation, do not produce any statement of policy. I think nothing could be a bigger insult to this Parliament than this. Secondly, I do not know if that statement of policy can be prepared in Ghanisahib's Ministry about the redressal of grievances. Probably that is difficult; that has to be prepared somewhere else; the two could not be coordinated perhaps. One is the penal Bill and the other is the Bill dealing with workers' grievances. How do you coordinate the two? Let him tell us.

Then, Sir, one or two of the points I will take up which were referred to in speeches by hon. Members on that side. The hon. Minister said that if you people—meaning us on this side—were sincere about the interests of the workers, why don't you all agree to unite and make one union and why do you go about dividing the

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workers, because it is easier for you to instigate them and create unrest among different organisations? If you are sincere you would agree to have one union. My only reply to them is, I would like him to familiarise himself with a bit of the history of the trade union movement of this country. It was referred to in a different way by Mr. Stephen. That up to the year 1947, when this country became Independent, there was only one single trade union organisation in this country. Only one. Its name was the All India Trade Union Congress and trade unionists belonging to all different political views, of all different political complexions used to work within the framework of that one Central Trade Union Organisation, the A.I.T.U.C. and I would like him to reply, who was it who started the process of breaking that organisation, splitting that organisation, and creating so many different organisations, which he is trying to deplore today? In 1947 after these people came to power for the first time, the first step they took under the leadership of Sardar Vallabhai Patel and my friend Mr. Gulzari Lal Nanda was to advise all the Congressmen who were inside the AITUC to split away and come away and form a separate organisation purely on political grounds and nothing else. If we have the state of affairs today which I deplore—and which I think any trade unionist will deplore—that we have got so many organisations, that does not strengthen the cause of the working classes, it weakens the power of the working classes, there is no doubt about it and I wish the day comes again when we are able to unite! But who started this game? Put your hand on your heart and tell this House who started this game.

Then, even Mr. Bhagat, my friend Mr. Bhagat made a very logical and effective speech, I think yesterday. He was obviously not very happy to

support this Bill. Anyway, even he said that the least that you could do is to provide for workers participation in management so that workers feel that they have got some commitment and this talk about workers' participation in management is going on now for donkey's years. I have attended at least dozens of conferences called by the Labour Ministry where we are told again and again that workers' participation in management is going to be introduced. Even Mr. Bhagat a senior Member of your Party, is complaining today that nothing is being done about it. You are only brandishing the big stick. You don't think about anything else. You are talking, why in any Communist country don't you have the right to strike? Let me inform you, there is no ban on strikes in any Communist country.

There is no ban on strikes. The workers were on strike for six months in Poland. No repression or no arrests have taken place. Nobody has been penalised for it. And here, Mr. Venkataraman, speaking here the other day when we were debating the price situation, Mr. Venkataraman has mentioned.... (Interruptions) As you have brought Poland into this, therefore, I must deal with that at least..

Mr. Venkataraman, when he spoke here in conclusion of the price debate the other day, said "Inflation is not something peculiar to India, inflation is there in all countries of the world". And then he said, "No, no, no. I must correct myself. There are some countries where the entire economy, the entire market is controlled, there is no inflation." That is the whole point. There is a different system there, where there is no inflation, there are no blackmarketeers, there is no speculation. And therefore, people do not have to suffer, the way they have to suffer here. Hundreds of people have visited those countries

including Mr. Shankaranand who has been in my company also in one or two places in those countries. He knows it very well. People are not allowed to lockout factories and dismiss people there. Why should there be strikes in a system when not a single worker can be dismissed by the management of the factory without the approval of the union? Unless the union approves, no worker can be sacked. It is a different system there; we have not got that system here. The point is, there is no obvious reason to go on strike there. Sometimes it happens when mistakes are made, as happened in Poland. The Polish Government and the leadership of the Polish party made serious mistakes. They have admitted it. These things have been revealed and discussed. As a result of that, there was some unrest. Mr. Stephen challenged us and asked, "what is your attitude?" I am telling you our attitude. We think workers in Poland had genuine grievances as a result of the mistakes committed by the Government and party leadership there. As a result of those grievances, they took to the path of protest action, including strikes. But the trouble today is that after so many concessions have been made to them and so many agreements have been made with them, some other people have now entered that movement and are trying to take it in a different direction. It has nothing to do with the workers' demands.

Mr. Stephen said, the rights of society must be protected, as far as essential services are concerned. But this can be said at any time. It could have been said at any time in the past also. The question to which no reply is being given is, why suddenly at this particular moment, three weeks before Parliament was to meet, what was the situation which suddenly necessitated you to think that society must be protected from any strike in the essential services? Do you mean to say that before the ordinances was

promulgated, you were not worried about this and suddenly this occurred to you and you brought forward this ordinance? As I had that day quoted, the statement of objects and reasons begins by saying:

"There have been certain disquieting trends likely to affect the maintenance of essential services."

I asked them to spell out those disquieting trends. Please tell us what they are. But there is no reply. I find—it has been mentioned here, by other members also—from the figures given by the Simla Labour Bureau, which is under the Labour Ministry, these are Government figures—you began to think about this only at a time when the strikes began to go down and not when strikes began to increase in number! The figures of 1979 and 1980 show that the man-days lost which had gone up to 4384 million in 1979 came down to 12.91 million in 1980. If you see the trend in figures, you will find that while the man-days lost accounted for by strikes was 82 per cent in 1979, it came down to 54 per cent in 1980. But the man-days lost which had gone up to 43.84 million in 1979 came down to 12.91 million in 1980. So, the total number of man-days lost went down, but within that, there was a sharp increase in the share of lock-outs and a sharp decrease in the share of strikes. Was this the disquieting trend which impelled you to bring forward this ordinance and this Bill? Please explain. We are not such idiots here. Some logic must be there behind your action. What is the logic? I am really not at all surprised that in the speeches which are being made from that side so far, particularly the Home Minister, Mr. Stephen and my good friend, Mr. Anthony—I consider him in this matter at least part of that side—nobody even by accident refers to these lockouts! Although the figures prepared by the Simla Bureau show that the man-days

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lost were more due to lock-outs and less due to strikers, you are talking all the time about workers, workers strike, irresponsible trade unions, irresponsible anarchist trade union leaders, Mr. Anthony was also very vocal about the man-days lost. But why do you not say a word with equal indignation against the employers who are doing these things? Because they are your class brothers. You do not really mean to use this thing against them at all. This is just put in here as an eye wash. We all know how it came in. It was not there in the original Ordinance. Because the Prime Minister committed a blunder in not having read the Ordinance and said something publicly, you were put in an embarrassing position and later you had to bring this amendment. But your heart is not in it. Giani Saheb is not angry with Dalmias for keeping their cement factory closed for 1.1/2 years. That is not essential commodity according to him and there is no loss of production if Dalmia does it. If the workers go on strike, then, of course, the danda must be used against them. This is natural; there is nothing to be surprised about. I would be surprised if you did anything else.

I can give you so many examples. Take the textile mills which produce cloth for the people. There is one mill in West Bengal, called Mohini Textile Mill, one of the oldest textile mills in West Bengal. It has been closed down for two years. There is no production of cloth. The workers are starving. Some workers have died during these two years. One worker committed suicide because he could not feed his children. But you do not bother about such things.

I mentioned it the other day also. Please tell us: why did you not include closures? You were so much worried about dislocation of production, hold-up of production. Why are you not putting in a single word about

closures? There are 22,000 units at present in India which are under closure and declared as sick units. Out of these 22000 units, most of them are, I admit, small units. Only 384 are big units belonging to big business houses. But out of Rs. 2000/- crore Government money which is locked up in these sick units, 384 large units account for two-third of that money. Two-third of Rs. 2000 crores is going in order to see these 384 units which have been closed down by their employers are somehow revived again. But what about the penal part of the Bill as far as these people are concerned?

क्या होगा? और कुछ बोल कर फायदा है? क्या होगा बनाइये? क्या लाभ है? उन दिन मैंने आई० एल० ओ० के बारे में पूछा था लेकिन कोई जवाब नहीं दिया गया। जवाब देते ही नहीं हैं। आई० एल० ओ० एक चीज है। वहाँ जैनेवा में बैठती है। बहुत अच्छी-अच्छी सिफारिशें देती हैं, रिकामेंडेशन निकालती है, कनवेंशंस निकालती है--

गृह मंत्री (श्री जैल सिंह) : उसको भी ध्यान में रखते हैं।

श्री इन्द्रजीत गुप्त : आपकी सरकार भी जैनेवा में जाकर दस्तखत करके आती है, आपके लोग भी दस्तखत करके आते हैं--

श्री जैल सिंह : मेम्बर हैं, जानता हूँ। ध्यान में रखा है।

श्री इन्द्रजीत गुप्त : ध्यान में रखते हैं लेकिन काम उलटा करते हैं।

It was again the old hackneyed thing which was brought in my hon. friend, Mr. Anthony, particularly about these high wage island workers and all that business. Here are the Government figures which show that in spite of everything, between 1970-71

and 1978-79 the share of wages has been declining and the share of non-wage incomes has been increasing. Of course, this includes high wage island and low wage island people. I want to know what you are doing about the low wage islands; you are the Government; we are not the Government. Whenever we try to organise these people, the pan-wallas, the bidi-wallas, the rikshah-wallas and the hotel-wallas, people who are not in the high-wage islands, when we try to organise them, to fight at least for something like the minimum wage, like the Asian Game project workers, whose case I raised the other day, what do you do about them? Why are you shedding crocodile tears for them? You are not interested in raising their standard of living. But when some people due to organised strength manage to get slightly higher wages, then you go on saying these are people belonging to high wage islands, who have no right to go on strike.

The case of LIC was mentioned. The LIC employees were not asking for higher wages. That was the most scandalous of all the things which the Government did, and the Supreme Court held against them. After all, Sri Frank Anthony is a great votary of the law and he knows very well what the Supreme Court held in that matter, that the solemn agreement which had been entered into by the Government under the Industrial Disputes Act could not be unilaterally torn up and thrown to the winds. Either a new agreement has to be negotiated, or a new law has to be brought in. The Supreme Court held that what the Government has done is something very wrong and that they must continue to pay bonus according to the agreement which they have themselves signed. If the LIC employees were protesting and agitating against the unilateral action of the

Government, what was wrong with that? They were fighting for a principle, not for more money. And if that principle is not upheld, it means that there is no sanctity to the agreement whatsoever. The same thing happened in Bangalore.

I would like to conclude by saying that the Government should say here categorically and with a full sense of authority that their anxiety to get a loan of Rs 5,800 crores from the International Monetary Fund has got nothing to do with this ill-advised attempt to impose so-called labour discipline in this country.

You know there was the North-South Conference on the International Monetary system or New International order in short it is called ARUSHA. One of the documents circulated by this ARUSHA Conference, referring to the International Monetary Fund, says:

“The Funds’ Policies, conceived to achieve stabilisation,”

—that is what they are supposed to give their funds for, stabilisation:—

“have in fact contributed to destabilisation and to the limitation of democratic processes.”

This is a quotation from a document of the ARUSHA Conference. I am warning this Government, once you have put your foot on this slippery path of becoming dependent on these enormous loans from international funds, which are controlled by the Western powers, who are not your real friends at all and who would like to use neo-colonial methods against developing countries of the third world, they will tighten the screw on many things like labour conditions, on your export policy, on your policy regarding the public sector, on the question of subsidies, because on all these things they have got a very well-defined policy, which they lay down as pre-conditions to the borrowing countries before they agree to pay them. It is

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obvious, the press is writing about it every day and there is no denial. Whether they have asked for such a Bill or not, I cannot say. Perhaps, they do not function in such a crude way. But our rulers at least are very anxious, very eager, falling over each other to proffer their *bona fides* to the creditors of tomorrow, telling them "don't worry, your money will be safe in this country, we would not allow these irresponsible unions and these workers to go on strike, please rest assured that your money will be safe, it will be repaid in due course." God knows how it will be repaid; I do not know, they should tell us.

The other thing is, finally, it is not only because of the IMF. I am not such a fool to believe that only because of the IMF pressure they are bringing forward this Bill. They know very well that under their dispensation the prices are going to rise much further. Mr. Venkataraman has admitted as much. Prices will rise much more, they cannot control the prices because they have no will to control the prices. And the more the prices rise, the more the people will suffer, the more there will be unrest, agitation, perhaps strikes also because they are going to impound a part of the dearness allowance and freeze the wages and therefore, they want to take pre-emptive action. Before the people's agitation comes they want to silence it by this type of draconian Bill. That is why this Bill has been brought. Therefore, Sir, they have welcomed this Bill. Let them pass it. Let them not be under any impression that they will be able to cow down people by this kind of methods. They are only inviting a much bigger storm on their heads. And so, I would request them: If you want to arm yourself with these powers, do it, but use your common-sense before you start using it, right and left and in a mood of panic because it will not cow down the workers, I can assure you. They do not go on strike for fun. If they are forced to

go on strike, then such Bills will not prevent them from going on strike.

Before I sit down, because you may forget so again I am reminding you that I want a reply to that question where that statement of policy is, which has been promised in that document which has been circulated to the House.

I oppose this Bill and I support Mr. Chatterjee's Resolution.

MR. DEPUTY-SPEAKER: Hon. Members, the Minister has got to reply at about 4.15 p.m. It was first fixed at 4 O'Clock. But now there are some more Members from the Opposition representing all parties, who are to speak. Shri C. T. Dhandapani, Shri A. K. Roy, Shri Tridib Chaudhuri, Shri Chitta Basu and Shri Chandrajit Yadav are there. All these hon. Members have to speak and every one of them will be allowed to speak, but I expect...

SHRI HARIKESH BAHADUR: Sir, I am also to speak.

MR. DEPUTY-SPEAKER: Yes, your name is there. Mr. Harikesh Bahadur is also to speak. I must be allowed by you to call the Minister to speak at the fixed time and your speeches should be very short. I mean, as short as possible.

Now, I call upon Mr. Dhandapani to speak. His party has been allowed about 7 or 8 minutes. I think he will not go beyond that. At least he must have some respect for me.

SHRI SOMNATH CHATTERJEE: Is there any speaker from that side apart from the Minister?

MR. DEPUTY-SPEAKER: The Parliamentary Affairs Minister has very graciously withdrawn all the other names. As a matter of fact, Mr. Somnath Chatterjee, there are about 20 Speakers. Only one or two have spoken. They have withdrawn the names of all others. Therefore, you

must also help because we have to send the Bill to the Rajya Sabha by 7 o'clock.

SHRI C. T. DHANDAPANI (Polachi): Mr. Deputy-Speaker, Sir, some of the hon. Members who happened to be trade union leaders have made some valuable contributions to this Bill. But I was very confused when I was listening to them, when some of the Members were explaining their present position and policies. For example, the hon. Member Mr. George Fernandes was accusing the Government saying that the Extra Departmental workers of Postal Department have not been given increased wages. They have been getting wages ranging from Rs. 80 to Rs. 130 all these years. He was asking: "What have you been doing all these years?" Actually I was confused about his argument because he himself was a Minister for Communications, I mean, the P.&T. He should have increased the salaries and wages of the E.D. employees, but I do not know what made him keep quiet and he was very much interested about diet chart in the jail. It is not only in Maharashtra but in all the jails it is the practice. I do not want to say much about that. Of course good diet should be given to all the prisoners also.

About the charter of demands—when they were in power they forget about the working class. When they are out of power they talk all about the working class.

I have come across an interesting news or incident. One trade union leader was heading a trade union. He prepared a charter of demands and he submitted it to the management. The management said, "We cannot accept this charter of demand." One fine morning the very same trade union leader was made Chairman of that management. Employees were so happy that they could get all their demands because the charter of demand

was previously prepared by that person who was at the helm of affairs. The workers went to the management i.e. who was previously their Chairman. They put forth the very same charter of demands. Then the person who was then heading the trade union said, "I cannot accept." "Why?" asked the workers. He said, "When I was a trade union leader I could prepare any charter of demands. I could raise any issues. But when I am in power, I cannot do all those things." The workers then went on strike.

Another interesting story is—one Minister was in power in a coalition Ministry. He dismissed 42 employees of the transport company. After some time the Minister himself also lost the job. He was out of power. The minister went to the workers. He wanted to lead the dismissed workers. So, that Minister led the agitation and he went on hunger strike. He pleaded that 42 workers dismissed by him should be reinstated. This is the character of some of the trade union leaders which create some sort of suspicion in the minds of the people. Not only the workers, even the trade union leaders also must have some code of conduct.

Tamilnadu Government brought a legislation similar one except lock-out, and lay-off. That legislation was also brought in by the Government when the transport workers were on strike in Madras. All the Opposition leaders—the so-called working class leaders, the political parties did not oppose that Bill.

SHRI CHITTA BASU (Barasat): It is not correct. Many political parties opposed it.

SHRI C. T. DHANDAPANI: They have not opposed inside the House.

SHRI CHITTA BASU: They opposed inside the House and that Ordinance lapsed.

SHRI C. T. DHANDAPANI: The demand was that the Bill should be

[Shri C. T. Dhandapani]

referred to the Joint Select Committee. They have not opposed it. Some of the political parties did not join rally protest against the Bill. That was the character of some of the political parties there. I do not want to name them.

16 hrs.

As far as my DMK party is concerned, we are very clear about this labour policy. DMK union is one of the major unions in Tamil Nadu. As far as the textile industry is concerned, our union is a majority union. Even in Neyveli, there are 11,500 workers out of which 8,556 workers belong to DMK. Our labour policy and our approach to this is very clear. Our labour union has passed a resolution which I would like to read:

"The DMK Labour Wing carefully examined the pros and cons of Essential Services Maintenance Ordinance, 1981. Our Labour Wing always extends its support taking into consideration merits and demerits of any issue. It has been stated that the Ordinance which was promulgated is to maintain essential services in some vital sectors of economy and augment the production of essential commodities for the consumption of common men. It has also been stated that this kind of measure necessitated for the Government to improve the economic situation of the country. The Prime Minister of India has also assured the working class that layoffs and lock outs would be made illegal. In view of the above facts, the DMK Labour Wing believe that the Government has no intention to curb the legitimate trade union activities and abrogate the rights of the working class.

Meanwhile, the DMK Wing request the Central Government to annihilate the following anomalies which create uneasiness among the working class:—

1. Illegal suspension or dismissal of workers;
2. Rejection of workers' demand without negotiation;
3. Retrenchment without valid reasons;
4. Arbitration without conciliation; and
5. Vindictive attitude of Managerial staff.

"The Central Government should, therefore, see that the workers' rights are protected and we request the Central Government to set up some sort of a tribunal to safeguard the rights of the working class."

This is our resolution; this is the policy of DMK party also. As far as DMK is concerned, we are very much interested in the working class. But, at the same time, we are equally interested in the development of economy of this country. Therefore, we have passed this resolution.

Similarly, I am thankful to the hon. Home Minister that he has given some directions to the State Governments which I would like to read:

"The suggestions are:

The conciliation and adjudication machinery of the labour departments should be activated so that prompt action is taken on all labour demands, grievances and disputes to prevent them from becoming a cause for agitation.

It should be impressed upon the managements that they should be more responsive to the legitimate demands of the workers.

The law and order authorities should avoid getting involved in bona fide labour-management disputes unless an offence is committed or there is an apprehension of breach of peace. The district authorities should not appear to be taking any sides in the disputes."

These are the directions given by the Home Ministry to the States. From these directions and from this policy, I can understand that the Government is not against the working class. Our friends here have said that the Government is against the working class. They are not against the working class.

Sir, you know about Tamil Nadu. The B&C Mills was closed down. About 30,000 workers were there. They were without jobs. They were thrown out. As far as the textile industry is concerned, in Tamil Nadu, whenever a textile unit or any unit becomes sick, the State Government used to come forward and take up that unit, run that unit and give jobs to the workers. My hon. friend, Mr. Indrajit Gupta, referred to the Mohini Mills. Had it been in Tamil Nadu, we would have taken up during the DMK regime. There were 13 sick textile mills. Those mills were taken up by the DMK Government. When the workers were out of job, the DMK Government was paying Rs. 200 per month to each worker. The B&C Mills was closed down recently. Sir, you yourself initiated that the Mill be taken over by the Central Government. Particularly, Mr. Pranab Mukherjee and Mr. R. Venkataraman...

MR. DEPUTY-SPEAKER: Because that Mill is in my constituency.

SHRI C. T. DHANDAPANI: Finally the Prime Minister also took up this matter and she instructed to allot Rs. 13 crores for the opening of the mill. Now all the 13,000 workers are in the job. Therefore, I cannot say that this Government is against the working class.

MR. DEPUTY-SPEAKER: The time has come for you to conclude.

SHRI C. T. DHANDAPANI: Other factors also have been stated here. Not only that is pertaining to working class. It is about other factors,

the financial crisis, pressure on the Government by multi-nationals and the Government's intentions to take away the workers' right. But I am sorry to say that these are the factors which are bringing many economic crisis. But economic crisis alone will not be the reason for bringing of this Bill. The reason is this: to improve the production and to bring some sort of discipline in the industry and among the working class. Our friends have stated...

SHRI SOMNATH CHATTERJEE: What happened to Binny?

SHRI C. T. DHANDAPANI: Binny was opened.

SHRI SOMNATH CHATTERJEE: Why was it closed? What happened to the employers?

MR. DEPUTY-SPEAKER: Because you have said that since 2 years, it has not been opened. We said that within 6 months, we have opened.

SHRI SOMNATH CHATTERJEE: Because of your personal intervention. You used your good offices.

MR. DEPUTY-SPEAKER: It is for all parties.

SHRI SOMNATH CHATTERJEE: We do not say that the mill should be opened because of efforts on our part. We say that the workers want to survive.

SHRI C. T. DHANDAPANI: What I say as far as this Bill is concerned it deals with both, with the strike as well as with the lay-off and the lock-out. Therefore, I do not say that any partisan attitude of the Government is prevailing in this matter. The workers, as I said, should be looked after. Among Governments of course, they have some sort of approach in this matter. Even there are differences of opinion in one party also. I have come across a news item about West Bengal. The West Bengal Government says that they are opposing this Bill. I came across

a news item, that is the West Bengal Government would not interfere if the Central Ordinance banning strike in essential services was applied to the Union Government organisations in the State of West Bengal.

AN HON. MEMBER: We have no power.

SHRI C. T. DHANDAPANI: What does it mean? If the Ordinance applies to the Central Government undertakings, if the Ordinance affects the Central Government employees, the State Government will not take any action.

(Interruptions)

But the law and order problem is with the State Government. They have the right to tackle this one. This was stated by Shri Krishnapada Ghosh, Minister for Labour. Even; the leaders of the working class have got some sort of difference of opinion on this issue. Therefore, I do not say that this should be opposed at this juncture considering the economic conditions and other factors which are prevailing in the world, the Government thought it necessary to bring this Bill. With these words I support the Bill.

MR. DEPUTY-SPEAKER: Mr. Harikesh Bahadur. Yours should be the shortest and the sweetest speech in five minutes.

AN HON. MEMBER: Mr. Dhandapani was given 12 minutes.

MR. DEPUTY-SPEAKER: Mr. Harikesh Bahadur, Mr. A. K. Roy, Mr. Tridib Chaudhuri, Mr. Charanjit Yadav and Mr. Chitta Basu—Mr. Chitta Basu is the last speaker—will take not more than five minutes each.

SHRI HARIKESH BAHADUR (Gorakhpur): Sir, I may not deliver a bitter speech, but the matter is such that only a bitter speech should be delivered.

I rise here to support the Resolution moved by Shri Somnath Chatterjee and to oppose the Bill which has been

brought forward by the Home Minister because this Bill is a black Bill.

When hon. Member Mr. Dhandapani was speaking, I felt that one of the members of the treasury benches had come to this side and delivered the speech. Sometimes, when some Members from this side speak, I find that they are neither members of the ruling Party nor members of the Opposition. Therefore, several times, I have felt that I must make a request to you that you should try to find some space in the well of the House—some seats should be created there for the third side....

MR. DEPUTY-SPEAKER: Then they will raise slogans.

SHRI HARIKESH BAHADUR: This is an abnoxious piece of legislation, a Draconian measure, and, therefore, I want to oppose this Bill. There is no doubt in our mind that ultimately this Bill will be used against the working class in a very cruel manner because the Congress Party Government have at various points of time, demonstrated that they are completely against the working class, they can suppress them, they can crush their legitimate and genuine movement; and they have done it. I can say that they are suffering from a sense of ill-will against the working class and they always want to have confrontation with them. That is why I can say that this Government does not have good intentions in bringing forward this Bill. Certainly there will be repression. There is no doubt about that. There are several examples of this. This Government had given bonus to the workers once upon a time. But during Emergency they had withdrawn that. It means that they do not have any sympathy for the working class. I must thank and congratulate the Janata Government which restored that right after they come to power...

SHRI JAGDISH TYTLER (Delhi Sadar): I thought that we would go home with the feeling that there was such a good quality of debate. But what a damper it is!

SHRI HARIKESH BAHADUR: Mr. Tytler wants to listen to a very peculiar quality of debate...

MR. DEPUTY-SPEAKER: I think, for some time, both of you were in one organisation.

SHRI HARIKESH BAHADUR: But when I found that he had a different quality, I felt that I must part company with him. (*Interruptions*)

At the time of introduction of the Bill itself, I have said that this Bill is unconstitutional, and I still hold this opinion that this Bill is unconstitutional. The Government has brought forward this Bill before the House and they want to plead their own case. They cannot understand any logic. In fact, it goes against the Fundamental Rights because, according to the Fundamental Rights which is guaranteed to the citizens of this country, everybody has got the right to form an association. If an union or association is formed, there will be a duty on the part of that union also; when the working class forms a union that union has got the duty to solve their problems.

16.15 hrs.

[SHRI GULSHER AHMED *in the Chair.*]

If they are agitating for their grievances and of their problems are not solved by the Government of the day, then they will definitely agitate. And if they are agitating, they are not committing any kind of a crime. But, according to this law, this government can stop their activity at any moment which cannot be done according to the Articles which have been mentioned in the Fundamental Rights itself. Therefore, this Bill goes against the Fundamental Rights which have been guaranteed to the

citizen of this country. Therefore, on that basis I oppose it.

So far as the railway employees are concerned, I would like to point out that there is a provision that is known as 14(2) in the Railway Act according to which the Government has got enormous powers. They can remove any worker from service at any time and they are doing it. They have already removed several people. During the emergency also they removed several people and when the Janata government came they took back all those employees....

SHRI SOMNATH CHATTERJEE: Sir, there were many cases where 14(2) was applied *mala fide* and I can give you the judgments.

SHRI HARIKESH BAHADUR: If the officers are not satisfied with a particular worker and if they have certain grievances, they immediately terminate the services of the worker. We have observed it. There are several such cases. They have powers to do that but still they want to bring this kind of a draconian legislation. That is why I say this government is not interested in the welfare of the working class. Take the railway employees. They have been coming to the government with their demands. They have been agitating and demonstrating for about 12 months. They have already given their charter of demands. But this Government does not want to listen to them. They are not even calling a conference of the union leaders to discuss their problems. The hon. Home Minister says that if the workers wear a badge and only seeing that badge the Government will definitely try to redress their grievances. But in fact even when they go on strike, their voice is never heard and they are always being suppressed. In the case of the employees of the public sector undertaking at Bangalore who had been

[Shri Harikesh Bahadur]

agitating for more than 4 months, this Government did not try to solve their problems. We have observed this even in 1974 when the railway people went on a strike. They have already given their charter of demand earlier.

They said that if these problems were not solved, they would go on a strike. This Government did not agree to that and ultimately they went on a strike. Many of them were removed from service and many were put behind the bars and many people were thrown out of their houses. All these crimes were perpetrated. How can then the working class have faith that this government will go into their demands and try to solve their problems. The entire working class and the entire people of this country have lost faith in this Government. Nobody has got any faith in this Government.

The hon. Home Minister says that the industrial relations are improving and because of that the man-hours lost were less. Then I do not know what compels him to bring this legislation. He is thereby contradicting his own statement. Now about the lock outs and lay offs, the provisions which are being made and the measures which are being taken are not going to stop the lock out and lay-off and ultimately this Government is going to help the capitalists who are sucking the blood of the working class. This Government is always protecting the interests of the capitalists and the mill owners and the big employers because from them they are getting several things which are being used by them in various elections including the bye-elections as it happened recently in Garhwal.

About closures the hon. Member, Shri Indrajit Gupta rightly pointed out as to why the Government do not think of closure. The Government will

never think of them for it is going to harm the interests of the people who are serving the interests of the Congress (I) Party and this Government and they are the capitalists and the Government do not want to confront the capitalists. They always want to protect their interests.

About the workers' participation in management, this kind of theory is propounded by this Government and in their election manifesto also they have mentioned that workers will be given participation in the management.

But, this Government, after coming to power, forgets everything of what they had said in their election manifesto and what they had pleaded before the people, before the nation. They always forget them. They never bother about the workers' participation in management. If the hon. Minister and this Government are sincerely interested in the welfare of the workers, at least, they should give them the chance of participation in the management. What is the reason that you are not giving that to them? Let the hon. Minister explain it before the House. I would like to know one thing. Mr. Stephen said that the interest of the society must be protected. Are they interested in protecting the interest of the society? The hon. Mr. Anthony had asked the Home Minister as to why they were not taking any action against the black-marketers and hoarders who were everyday increasing the prices of essential commodities. Why are you not taking any action against them? He is a supporter of this Government. But still, he charges this Government with not taking any action against this type of people. That is because these are the real people who are helping this Government, this party. That is why no action is going to be taken against them. Therefore, I would like to say that you should not take ac-

tion against the working class. You should not try to harass them and you should not try to repress them. No repressive action should be taken against them. You should take action against those who are really the enemies of this nation.

Therefore, Sir, I oppose this Bill. Once again I request the hon. Home Minister that at this point of time at least he should withdraw this Bill.

MR. CHAIRMAN: Mr. A. K. Roy. Now, everybody will have five minutes.

SHRI A. K. ROY (Dhanbad): Sir, I do not want to repeat what has already been said. Your rationing of time would only be helping me.

I am worried about the Government. I want to ask the Minister as to what justification is there warranting this penal action. Here the Minister openly said that this penal action was necessary. To some extent they were reluctantly forced to do this. He failed to give any reason or ground or the justification. Was this warrant, this step to arrest certain disturbing features in our national economy? Workers are for participating in the management. Now I say Government is also under a certain management. This is a very dangerous thing. We give priority to the Directive Principles over the Fundamental Rights. New Directive Principles of the I.M.F. are given priority over our Directive Principles of our constitution. This is something about which we should think very seriously. The Home Minister, while replying, should justify this.

This Bill does not symbolise the strength of the Government; it symbolises its weakness. This Government has got the majority, it may rule in the air; it may rule in the water or it may rule in the upper atmosphere. It rules everywhere. Then

why do you need this blanket penal action? You need this definitely for banning strikers. This penal action like drugs also creates a certain immunity. The more the doses are the stronger or the more intense would be the immunity. This Government started with penal action—penal action against the traders, penal action against the peasants, penal action against the workers and penal action against everybody. Whether the people have lost faith in the Government that is one point but the Government has lost faith in the people there is no doubt about it. There is a sense of panic. Everytime the House meets we have the misfortune to legalise certain uncalled for ordinance promulgated by them but never have we seen that 50 per cent of the potential content of the Bill was forgotten while promulgating an Ordinance. Lock-outs and lay-offs. What happened to that? Forgotten! Accidentally it has to be injected. It is not a minor provision. This Government pretends that it works on two legs one is workers' support and the other management support. They say they are very much equi-distant from both. But in the beginning one leg was not there. The total Ordinance was standing on one leg. I do not know how. Whether it is a new practice. It is something which Mr. Zail Singh must clarify how a Bill or a Law—a very vital law—which is supposed to work on two things started with one thing and the rest was forgotten. No justification was given—as no justification has been given as to why the Bill was necessary as to why that was forgotten.

Further, Sir, look at the loss of mandays. Whenever this Government has come to power the mandays lost due to lockouts and closures became high. In 1976 the golden days of Emergency—you will find that due to strikes the mandays lost were 22 per cent and due to lockouts they were 78 per cent. Again after this Government

[Shri A. K. Roy]

came to power last year and it became 46 per cent and this time it is expected to be more than 50 per cent. So, Sir, the symptom which is the cause of more than 50 per cent of mandays lost was forgotten in the original ordinance.

Sir, if a Government in a normal way wants to drift and invite disaster. Opposition has nothing to say. We can only say that we wish you well in your downward journey. But my point is that we are worried because they are going fast and faster than we anticipated. That is the trouble. We want them to stay at least for some more time so that they get themselves completely exposed and the people may not do the same mistake as they did in 1980. They are moving faster than we want. That is why I opposed this Bill otherwise we had got no intention to oppose this Bill. I was to support this Bill but we are forced to oppose because they are moving faster.

MR. DEPUTY SPEAKER: Please conclude.

SHRI A. K. ROY: Here I will tell you about a small poem of Rabindranath Tagore "Discovery of Shoe" which I remember just now. There was a King who had a very able Cabinet like theirs! The King decided, in his kingdom, which got such a capable Cabinet, why there should be dust, which would soil the feet. Then one expert suggested, you should purchase one lakh broomsticks; they did that and swept the whole dust over the soil. What happened then was, the dust engulfed the whole air and the whole air became dusty. Then another expert suggested, water should be sprayed over the whole surface of the earth and it was done. Then what happened was that there was complete mud and nobody could walk. Then the King suggested, why don't you cover the whole earth with leather. Then while they started collecting leather to cover the whole earth one ordinary man, common man, suggested, "Sir, instead of covering the whole earth with leather, why don't

you cover your feet with leather;" and then the shoe was discovered on that very day. Similarly, I want to advise Mr. Zail Singh; he is making laws and sending workers, peasants, students, everybody to jail: "why don't you send yourself and the entire cabinet into a Jail?" With these words I conclude.

SHRI TRIDIB CHAUDHARI (Berrhampore): At the fag end of this discussion, and with the little time at my disposal there is hardly any necessity for me....

MR. CHAIRMAN: You say, points one, two, three.

SHRI TRIDIB CHAUDHARI: Yes. I will not go into details. I want to record my protest against the Bill for the manner in which the ordinance was cleared. The ordinance was passed, and then it is now being sought to be placed on the Statute-book as a regular law almost in a cynical casual manner. There is no doubt at all about the fact that the Government has also admitted that this is a penal measure and its whole object or sole purpose is to take power so as to prevent strikes, prevent retardation of production by lock-outs and lay-offs in essential services.

I have only to refer to one act. I have mentioned about the manner in which the ordinance was cleared. Sir, everybody knows that this inclusion of lock-out and lay-off in the Bill has been an after-thought. (Interruptions) Closure has not been included at all. In the Statement giving reasons for immediate legislation by the Essential Services Maintenance Ordinance, as required under Rule 71 of the Rules of Procedure and Conduct of Business of Lok Sabha, it has been mentioned that there have recently been some disquieting trends in the labour front and in some vital sectors of the national economy. The spate of agitations in the recent past pointed to the possibility of serious development of the labour front which might adversely

affect the maintenance of supplies and services essential or the life of the community. The whole attention of the Bill was thus focussed on the labour front and on the possibility of strikes in the essential services by the labourers concerned. Even at this late stage I have to point out that they have not made their intentions clear about these lock-outs, lay-offs and closures. So, the main purpose is to suppress labour and take from them, deprive them of their right to strike. And as I opposed the Bill at the introduction stage, I again express my most serious opposition to this Bill and I oppose it lock, stock and barrel.

SHRI CHANDRAJIT YADAV (Azamgarh): Sir, I support the resolution moved by Shri Somnath Chatterjee. I am not going into the details of the Bill because the mover himself put certain facts before the House which go a long way to convince that this Bill and the earlier Ordinance were unwarranted and there was every occasion to have this kind of apprehension. The Ordinance and the Bill are to protect the working class in this country. At the time when the working class was really cooperating, everybody felt the pinch of the rise in prices of all the consumer goods. There is no evidence of it. The evidence is really contrary. What was the need for the Government to hit back at the LIC workers and go against the agreement which was reached between the two parties and ultimately who came forward to the support of the working class? The Supreme Court gave the verdict that the Government was totally wrong and their action was repressive and they were going back from the stand. Today, there is an apprehension in the minds of the working class and the people in this country that the Government is really taking this measure which is totally unwarranted.

The Home Minister gave a very peculiar logic. He said had this Ordinance not been there, there would have been a serious strike and there would

have been de-stabilisation in the country. This is their understanding. Really speaking it is not a preventive measure. It is rather a repressive measure. Otherwise Government will be well advised not to take any measure against the working class. In this country, fortunately, the working class have a very serious role to play. They are also taking interest in the country's economic growth. They know that it is very important. They are playing their part in the public sector, they are playing their role in the private sector, they are playing their role in every sector of our economy. Therefore, it is difficult for the ruling party also to totally ignore them and become anti-working class. These kinds of measures do not prove to be preventive measures. I would point out that the Government should have given a second thought to it. I do not know whether the Government will really be so responsive as to withdraw this Bill even at this last stage. If they still insist on passing this Bill and making it a law they should always take it into consideration that the capitalists should not be allowed to take advantage of this Bill. Now why am I saying this? What was the reaction as soon as the Ordinance was issued? The capitalists and the industrialists in this country hailed this Ordinance. But there was almost a unanimous opposition from the working class, including the trade union which belongs to the ruling party. This was the reaction. For the fall in the production, the industrialists and the capitalists are mainly responsible. Even the Emergency—my Friend Mr. Ravindra Verma was giving the facts which one cannot deny—out of the man-days lost, 76 per cent were due to lock-out. Who were responsible? Not the working class. They were cooperating. Who took advantage of the situation? The capitalists and the exploiting sections of the country. Therefore, my fear is that industrialists who are basically anti-working class, and the capitalists

[Shri Chandrajit Yadav]

who always defeat the best intentions of the Government, may take advantage of this. Government must take care of this. Really speaking, to-day difficult situation has arisen because of rising prices. You can go anywhere and see. People are suffering to-day from the burden of rise in prices, inflation and growing unemployment.

Only to-day I got a reply to the letter I had written to the Prime Minister when I undertook a 48-hour fast against growing unemployment. Perhaps she directed the Minister of Planning to look into it. He sent a letter to me, and I got it to-day. He has said that there are 12 million unemployed in the country, when the 6th five-year Plan is being finalized. His apprehension is that 3.8 million unemployed will be added during the Plan. And they are taking certain measures. They will be able to provide employment to some extent. Still, it is a very disturbing factor in our economy that millions of educated youth are jobless and are without any future. And the Government has failed. That is the situation. Therefore, measures should be taken.

Go to any European country. I am not talking about any socialist country. Even under the capitalist system, go to Italy, France, West Germany, Sweden, Norway or Holland. They are taking measures to provide doles and unemployment compensation to the unemployed youth. They are trying to provide social security. In the United Kingdom where only 1.5 million youth are unemployed, they are rocking the Government. Government is really shivering and is thinking of taking some action. But here, nothing moves. Therefore, I say that instead of bringing in this kind of provocative measures, Government should take effective measures to control rising prices, inflation and also provide jobs to the unemployed.

My last point: the Home Minister made a sincere and serious statement that if there are certain grievances, it is enough that the workers indicate their anger, and put on black badges; and then they will look into it. But some traditions have to be established for it. By bringing in this kind of a measure, you are showing lack of confidence in the workers. Don't do it. Have confidence in the working class, negotiate with them, sit with them and try to create some traditions.

Now about workers' participation management at all levels. I am demanding it again. The previous Congress Government had taken a decision that workers' participation at all levels will be implemented; and that was a good decision. But it was given the go-by. Therefore, Government should, instead of bringing in this kind of a measure, implement universally in the private and public sectors—workers' participation at all levels. If that is done, then I am sure the intention of the Government to increase production and to have industrial peace can be achieved. Ultimately, I would request the Government that instead of bringing in this kind of a provocative measure, The Government should take, really speaking, serious measures for workers' participation in the management and also effectively deal with those agencies, forces which are taking advantage of such measures.

SHRI CHITTA BASU (Barasat): I rise to support the motion of Shri Somnath Chatterjee and naturally I oppose the motion moved by the hon. Home Minister. I am glad that Mr. Stephen is present in the House. To-day, in the morning, he was making an eloquent speech saying that his party and the Government are upholding the basic right of the workers to strike. I would remind him about the statement which he has recently made at Madurai on 6th September. It says as follows:

"Union Communications Minister, C. M. Stephen said today that there was no place for strike, or other agitational forms of collective bargaining in the P&T Department and no agitation can be tolerated."

He says, there is no question of accepting collective bargaining in the P&T Department and no agitation is going to be tolerated by him and his Government. Of course, he comes here and speaks as the principal spokesman of the Government that his party and Government uphold the right of the workers to strike. This is how he wants to bluff the country, this House and the entire nation.

Who are the God fathers for providing inspiration from this kind of Bill? I have got a statement of Mr. Naval Tata also. Mr. Tata remarked,

"Trade unionism in the country has unfortunately degenerated into terrorism with resort to unmitigated violence."

So far as violence is concerned, I do not want to go into the statistics which had been dealt with by my friend Mr. Somnath Chatterjee. So far as strike is concerned, you have also taken care of. Then Mr. Naval Tata says that trade unionism is nothing but terrorism. But here I find that Mr. Zail Singh, the Home Minister, using the same language and Mr. Stephen echoing the same sentiments, same remarks of Shri Naval Tata with greater noise than Mr. Naval Tata.

SHRI SOMNATH CHATTERJEE: To shout because the telephones do not work.

SHRI CHITTA BASU: I am glad that you have reminded him of that. Let us see what Mr. Tata says further: He says,

"Mr. Tata called upon all industrialists, employers' organisations and responsible sections of the public to give their moral support to the

Prime Minister in her effort to sustain and strengthen India's economy which is being disrupted and destroyed by unhealthy and irresponsible form of trade unionism."

SHRI SOMNATH CHATTERJEE: You make him the Labour Minister.

SHRI CHITTA BASU: Why is he not brought here to operate as the Labour Minister?

Mr. Naval Tata and Birla suggested that there should be a Presidential form of Government because that form of Government can alone provide a seat for them without contesting the election. Therefore, I think the same thing is being done. Mr. Naval Tata, Mr. C. M. Stephen, Mr. Zail Singh, (Interruptions)

THE MINISTER OF COMMUNICATIONS (SHRI C. M. STEPHEN): Shri Chitta Basu.

SHRI CHITTA BASU: No, no. I am not there. They are all interlinked, for they want to ultimately destroy the democracy in our country.

Coming to the Bill you only allow me to sum up, this is the pernicious thrust of the Bill. Only five to six, points I have got. As I have said earlier, Mr. Stephen, Mr. Zail Singh, (Interruptions)

This Bill is nothing but a frontal and massive attack on the right of collective bargaining of the workers. This is an ill-conceived and senseless attack at dismantling industrial relations machinery so meticulously build up by our own working classes. This Bill seeks to completely disarm the workers and contrarily the employers, big monopolists, industrial houses and also international bodies exploit them.

MR. CHAIRMAN: Two are over. Come to the third.

SHRI CHITTA BASU: This Bill completely nullifies the concept of

[Shri Chitta Basu]

adjudication, the concept of conciliation as the basic policy on which the industrial relations edifice has been built. He has confessed that industrial relation is not within the scope of the Bill. This is a Police Bill. Mr. Zail Singh said it. It is Mr. Stephen who has interpreted the point which has been made by Mr. Chatterjee that it is a bill of the Police, and you have corroborated it.

MR. CHAIRMAN: Now come to the fourth point.

SHRI CHITTA BASU: They speak about that industrial relations and an attempt has been made by Mr. Stephen or somebody else that J.C.M. is there for conciliation.

MR. CHAIRMAN: You said you are making four points. Three points you have made. Come to the fourth point.

SHRI CHITTA BASU: I am just coming. Two minutes more. They say that JCM provides for conciliation. I think you will agree with me and many of the Members will agree with me, as far as I know, J.C.M. is no substitute for collective bargaining. It is not. I think you would agree with me.

Lastly, this Bill seeks to delegate excessive power to the executive. The reasons I can give. I know that you are not giving me time. It takes the workers' procedural framework as laid down by the Cr. P.C. and denies them a fair chance of defending themselves, though black marketeers, anti-social elements and economic offenders are coming within the scope of the framework of the Cr. P.C. Last point. I am concluding This is about closure.

Closure is an important aspect, by which there is loss of production. The Bill does not contain any provision regarding closure. The Supreme Court gave a decision saying that it is a fundamental right of the employer to close down a centre of business. But what about the corresponding

right of the worker? Therefore, it is partisan and it is meant to subserve the interests of the capitalists and monopolists and all those who have continued to exploit our country. Therefore, this Bill is anti-working class, anti-democratic and Draconian. Therefore, this House should reject the motion moved by Shri Zail Singh.

गृह मंत्री (श्री जैल सिंह) : सत्कार योग्य चेयरमैन साहब, इस महत्वपूर्ण बिल पर जिस का लगाव मजदूर से भी है, कारखानेदार से भी है और सोसायटी के सब वर्गों से है, इस पर आनरेबल मेम्बर साहेबान ने दिल खोल कर विचार रखे हैं, मुझे इस बात की खुशी है। मैं उन सब का मशकूर हूँ।

मैं यकीन रखता हूँ कि जब तक हिन्दुस्तान के मजदूरों के चेहरों पर रौनक नहीं आती, तब तक हिन्दुस्तान के चेहरे पर रौनक नहीं आ सकती। इस बात को ध्यान में रखते हुए मेम्बर साहेबान ने इतनी दिलचस्पी ली है, वह जायज है और लेनी चाहिए थी।

मेरे पास चेयरमैन साहब आपने वक्त रहने नहीं दिया। चार बजे मुझे कहा था, पांच बजने वाले हैं और मैं चाहता हूँ कि मैं इस मामले में ज्यादा वक्त आपका न लूँ।

एक बात जो श्री इंद्रजीत गुप्ता ने कही थी कि मैं ने एक स्टेटमेंट देने का वादा किया था और उस के लिए जब मैंने बिल इंट्रोड्यूस करने के लिए इजाजत मांगी उस वक्त मैं वह स्टेटमेंट करना चाहता था, मगर स्पीकर साहब ने कहा कि रूल के मुताबिक आप नहीं कर सकते। उस के बाद मिस्टर चटर्जी ने अपना रेजोल्यूशन मूव किया। अगर रेजोल्यूशन मूव न हुआ होता, तब भी एक समय था कि मैं स्टेटमेंट पढ़ देता, मगर उन्होंने ऐसा सवाल पैदा कर दिया कि अगर उनका कोई जिक्र न किया तो आनरेबल मेम्बर का अदब नहीं रहता था।

इसलिए उनके सत्कार के लिए मैंने कुछ बातें कह दीं। स्टेटमेंट में जो बातें हैं, वे मैंने कुछ कह दी हैं, कुछ आनरेबल मिनिस्टर स्टॉफ ने साहब ने कह दीं, कुछ सुखाड़िया जी ने कह दीं और कुछ हमारे विरोधियों ने भी कह दीं, इसलिए स्टेटमेंट पढ़ने में मैं वक्त खर्च नहीं करता और इस को टेबल पर रख देता हूँ। जिस का दिल करे वह इस को पढ़ सकता है, इसलिए मैं वक्त खर्च नहीं करता।
... (व्यवधान) ...

SHRI SOMNATH CHATTERJEE:
What is there in that?

श्री जैल सिंह : अभी पढ़ दूँ ?

श्री सोमनाथ चटर्जी : हाँ, पढ़ दीजिए।

श्री जैल सिंह : ठीक है मैं पढ़ देता हूँ।

हम तो चटर्जी साहब की हर बात मानते हैं, वे नहीं मानते।

SHRI SOMNATH CHATTERJEE:
What Mr. Indrajit Gupta meant was something which is supposed to contain a statement of policy of the Government.

श्री जैल सिंह : दिस इज पालिसी, आपको डाउट नहीं करना चाहिए ?

17 hrs.

The Essential Services Maintenance Ordinance 1981 was promulgated by the Government as there have recently been some disquieting trends in some of the vital sectors of the national economy in spite of Government's best efforts to maintain healthy industrial relations. In the prevailing situation, effective measures have had to be taken to check inflation and to keep the wheels of production running. Services which intimately affect the life of the common man have also to be maintained without any hindrance. (Interruptions)

आप चिन्ता न कीजिए। मैं जानता हूँ आप को। आप खानदानी लायर हैं।

आप बड़े घर में पैदा हुए हैं। मैं एक मजदूर घर में पैदा हुआ हूँ। हम लोगों ने चेहरों को पढ़ा है। हम ने झोंपड़ियों में जा कर देखा है। आप किताबें पढ़ते हैं, मैं जानता हूँ। मजदूरों की क्या हालत है, देश की क्या हालत है, इंडस्ट्री कैसे चलेगी, खेत-बाड़ी कैसे चलेगी, इस का हम को प्रैक्टिकल एक्सपीरियेंस है। आप ने किताबें पढ़ी हैं (इंटरराज) चटर्जी साहब खुद इतने लायक हैं, इतने दूरदेश हैं, इतने एजुकेटेड हैं, इतने अकलमन्द हैं, इतने एमिनेंट लायर हैं कि उन को इनकी सहायता की जरूरत नहीं है, ये उन की सहायता के लिए क्यों उठते हैं। वह खुद अपने आप को डिफेंड कर सकते हैं। मैं पहले कह चुका हूँ कि यह प्वाइंट तिकरीबन आ चुका है। लेकिन मैं आप की डिमांड पर इसको पढ़ रहा हूँ।

At the same time, Government are fully conscious that legitimate grievances of workers in these essential services should receive adequate and prompt attention. Government, therefore, desire to reiterate their determination that, in essential services where strikes, lock-outs and lay-offs would be prohibited, it will be ensured that the existing industrial relations machinery for conciliation and adjudication is fully activated so that disputes when referred to that machinery are resolved as far as possible within 90 days.

Such essential services which may be notified under the provisions of the Ordinance would involve three types of employees—Government employees, employees in the public sector and employees in the private sector. Even though the conciliation and the adjudication procedures under the Industrial Disputes Act, 1947, are uniformly applicable to all categories of industrial employees, non-statutory arrangements have been set up to deal with disputes even before they are referred, if at all, for conciliation and adjudication. There are the Joint Consultative Machinery for dealing

[श्री जैल सिंह]

with disputes in Government services; Permanent Negotiating Machinery in the Railways and in the Posts and Telegraphs Department; and the centralised agency of the Bureau of Public Enterprises in the Ministry of Finance to examine and obtain Government orders expeditiously regarding matters pertaining to the public sector employees. All these arrangements will be used more effectively, by strengthening them wherever found necessary, so that the genuine grievances of the employees covered by them are settled in a time-bound frame. A similar approach would also be adopted regarding disputes in essential services falling in the private sector by taking timely steps towards preventive and informal mediation.

Government are confident that all these steps would lead to a prompt and satisfactory solution to all the legitimate demands of employees in the essential services which will help recreating a healthy industrial relations climate.

(Interruptions)

यह आन्सर नहीं था, आन्सर अब आएगा या तो पहले आया था। यह तो हमारा पालिसी स्टेटमेंट था, उस के इम्प्लीमेंटेशन के लिए हम कदम उठाएंगे। आप जरा गौर से इस को देखिए। आप किसी मुकदमे की पैरवी करने के लिए यहां नहीं आए, आप एक एक्ट को बनाने में सहायता कर रहे हैं।

श्री सोमनाथ चैटर्जी से ले कर श्री समर मुकर्जी, श्री भगत जी, श्री चिरंजी लाल शर्मा जी, श्री रवीन्द्र वर्मा जी, श्री सुबाडिया जी, बाजपेयी जी, जार्ज फर्नांडिस, फ्रैंक एन्थानी, इन्द्रजीत गुप्त, दण्डपाणि जी, हरिकेश बहादुर जी, ए०के० राय, त्रिदिव चौधरी, चन्द्रजीत यादव और चित्त बसु जी, चैटर्जी से ले कर चित्त बसु तक 17 मेम्बर साहबान ने इस की व्याख्या की और इस का खुलासा किया। विस्तारपूर्वक एलौबोरेट कर के वही व्याख

बताए गए। जो आईनी प्वाइंट है उस के सम्बन्ध में तो मैं सिर्फ इतना कहूंगा कि यह आर्डिनेंस जारी होने के बाद सुप्रीम कोर्ट में चले जायेंगे और सुप्रीम कोर्ट ने इस को माना कि यह किसी के हक को नहीं छीनता। यह बुनियादी हकों में तो आता ही नहीं, लेकिन दूसरे राइट्स को भी नहीं छीनता और यह वैलिड है। इसलिए मैं समझता हूँ कि चैटर्जी और उन के जैसे जितने भी लोग हैं उन के विचारों के हर पहलू को सुप्रीम कोर्ट में रखा गया था, हर आर्टिकिल को वहां कोट किया गया था जिन्हें यहां कोट किया गया और सुप्रीम कोर्ट को तो आप मानेंगे ही क्योंकि आप का दावा है कि हम से ज्यादा सुप्रीम कोर्ट की इज्जत आप करते हैं; इसलिए इस के बारे में मैं और कुछ कहता नहीं।

मुझे इस बात की खुशी है कि हमारी सब से बड़ी पार्टी जो है उस के जो नेता हैं मैं उन का बहुत अदब करता हूँ...

एक माननीय सदस्य : सब से बड़ी पार्टी अपोजीशन की ?

श्री जैल सिंह : यह क्या बताने की जरूरत है... (व्यवधान)...

उन्होंने स्पष्ट बात की, हेराफेरी की बात नहीं की। वह कहते हैं कि यह आर्डिनेंस या बिल आप की सरकार को खत्म कर देगा और हम आएंगे। मैंने उस वक्त कहा था बैठे बैठे कि फिर आप खुश हो जाएं। उन्होंने कहा था कि मैं खुश हूँ। मैंने कहा कि फिर आप इतना जोर क्यों लगा रहे हैं ? एक बात उन्होंने और कही कि यह बिल हम को एक कर देगा, हम सब एक हो जाएंगे। मैंने कहा कि भाई बुजुर्ग आदमी हैं, इन की बात पर नाएतबार करना भी गुनाह है लेकिन एतबार भी नहीं किया जा सकता क्योंकि एतबार कैसे आए ? प्रत्यक्ष को प्रमाण देने की जरूरत नहीं। श्री चैटर्जी ने बड़ा प्वाइंट

लिया था कि जनता पार्टी को हम इसलिए सपोर्ट करते हैं कि हम इस से डेमोक्रेसी को बचाएंगे। और जनता पार्टी को डेमोक्रेसी क्या थी? जनता पार्टी को कम से कम डेमोक्रेसी तो थी : जिसका जो चाह रहा, जिस का जो नहीं चाहता, वह चला गया। (व्यवधान)

जहं दर आवत जात हो, हटके नहीं कोय,
सो दर कैसे छोड़िए, जो दर ऐसा होय।

जहां आने जाने में कोई रुकावट नहीं है, उस को क्यों छोड़ते हैं? उस वक्त गलती की। अगर आप दोबारा आस रखते हैं, तो मैं आपको यह कहना चाहता हूं कि यह बिल तो क्या, और भी कई बिल आ जाएं, तो भी आप इकट्ठे नहीं हो सकते। अगर हो जाएं, तो भगवान की बड़ी कृपा हो जाए। मैं भी सुखी रहूंगा, क्योंकि होम मिनिस्टर को पार्लियामेंट में बहुत बार पेश होना पड़ता है। स्पीकर साहब भी खुश रहेंगे और मेम्बर भी शांति से सुन सकेंगे। अब तो इतने लीडर हैं कि अगर एक लीडर कोई बात कहता है, तो दूसरा लीडर सोचता है कि मैं क्यों खामोश रहूं, लोग कहेंगे कि तुम क्यों खामोश रहे, इसलिए उसको भी बोलना पड़ता है।

श्री चन्द्रजीत यादव की बात सुन कर मैं हैरान रह गया। पहले उन्होंने कहा कि मैं सपोर्ट करता हूं, फिर कह दिया श्री चटर्जी को। एक दिन तो उन्होंने हमारी सपोर्ट करनी ही है, तो आज क्यों नहीं कर देते? श्री चन्द्रजीत यादव बहुत दूर-अंदेश और बहुत सुलझे हुए पार्लियामेंशन हैं। मैं उनकी बहुत कद्र करता हूं। उन्होंने बड़ी दिलेरी का कदम उठाया कि जहां उनके विचारों की कोई कद्र नहीं, वहां रहने की क्या जरूरत है। आज उनकी एक सैप्रेट पार्टी है। आज वह हम को कुछ अच्छी बातें भी बता गए, जिनके लिए मैं उन का मशकूर हूं। उन्होंने कहा कि मनेजमेंट में वर्कर्स का पार्टिसिपेशन होना

चाहिए। यह सुझाव बहुत अच्छा है। हम इस पर गौर करेंगे।

श्री इन्द्रजीत गुप्त : पन्द्रह साल से गौर हो रहा है।

श्री जे. सिंह : उन्होंने कहा कि 12 मिलियन बेरोजगार हैं। मैं हैरान था कि श्री चन्द्रजीत यादव जैसा समझदार आदमी बात उन लोगों की कर रहा है, जिन को एम्प्लायमेंट मिली हुई है। वह अनएम्प्लायड लोगों की बात तो नहीं करते। झगड़ा तो इस बात का है। वह उन लोगों की वकालत करते हैं, जो एम्प्लायड हैं, जिन को तनख्वाह मिलती है, छुट्टियां मिलती हैं, बच्चों को एजुकेशन मिलती है, घर बने हुए हैं। और गवर्नमेंट के एम्प्लॉई? — जैसा कि मैंने पहले कहा था, अगर कोई उन को चोट लगा दे, तो दो मुकदमे बनते हैं कि आप ने गवर्नमेंट के एम्प्लॉई को क्यों छोड़ा, आप का क्या हक है। अगर एक आम आदमी को चोट लगे, तो एक मुकदमा बनता है। आप वकालत किनकी करते हैं और बात किनकी करते हैं। खैर, हम बिल इसीलिए ला रहे हैं कि पैदावार बढ़े और बेरोजगारों को रोजगार दिया जाए।

श्री चन्द्रजीत यादव तो मुझे ऐसे ही याद आ गए, उनकी बात तो आखिर में आयेगी। श्री समर मुखर्जी ने, जो बुजुर्ग हैं, कहा कि हम एक हो जायेंगे। भगवान करे कि श्री वाजपेयी श्री समर मुखर्जी को नेता मान लें। या श्री मुखर्जी वाजपेयी को नेता मान लें। मैं धार्मिक आदमी हूं। मैं उस दिन एक यज्ञ करवाऊंगा और एक अखंड पाठ करवाऊंगा। श्री मुखर्जी भारतीय जनता पार्टी का आइडियोलॉजी को नहीं अपना सकते और भारतीय जनता पार्टी वाले कम्युनिस्ट नहीं बनेंगे। यह बिल आप को कैसे जोड़ सकता है?

श्री समर मुखर्जी (हावड़ा) : आप ने जोड़ दिया है।

श्री जैल सिंह : अगर जोड़ दिया है, तो बड़ा अच्छा हुआ। दुनिया में जोड़ने वाले बहुत काम करते हैं, तोड़ने वाले तो बहुत होते हैं। तब तो हमारा मशकूर होना चाहिए। अगर एक बात याद रखें :—

नजर आते हैं इकरार में इन्कार के पहलू, मोहब्बत इस जमाने में सियामत होती जाती है।

जो इन्कार है, वह पहले है और इकरार बाद में है। (व्यवधान) जब किसी का मिलाप हो, तो तंगदिल आदमी तो दो आदमियों को हंसते हुए नहीं देख सकता। हमें तो खुशी होती है कि दोनों मुस्कराएँ, हँसें, उन का मेल-मिलाप हो जाए। हमें यह बुरा नहीं लगता। लेकिन मेरा ख्याल है कि मेरे इस ध्येय के बावजूद भारतीय जनता पार्टी तो छाड़िये, आप शायद श्री इन्द्रजीत गुप्ता से भी न मिल सकें। पार्टियाँ चलती जाती हैं। ये बुनियादी बातें चलती रहती हैं। इस में क्या अफसोस की बात है। बिल आते रहेंगे, आप कहते भी रहेंगे, आप लड़ते भी रहेंगे।

उन्होंने एक और बात कही कि आप इस बिल के साथ चले जायेंगे, तो परमात्मा आप को लम्बी उम्र दे और आप को शक्ति दे

श्री समर मुखर्जी : जो रास्ता दिया है वह जाने का रास्ता है।

श्री जैल सिंह : रास्ता दिखते हैं, हम उसी रास्ते पर पहले ही चढ़े हुए हैं आप तो खुश हैं इस बात से। यह रास्ता भी हमारा चलेगा, गाड़ी भी चलती रहेगी और कारवां भी चलता रहेगा, भगवान आप को उम्र दे, आप यही रहें : ... (व्यवधान) ... आप खड़े हो कर बोलिए : ... (व्यवधान) ... माफ करना ... (व्यवधान) ... चेयरमैन साहब, मैं कुछ नहीं कह सकता हूँ। क्या करूँ, क्या बताऊँ और क्या न कहूँ। आज कल किसी के साथ आप प्यार भी करें, मोहब्बत और

उपकार करें, मदद करें, तो उस की कोई बदर नहीं करता है। मैंने कल घोष जी का बड़ा ही मदद किया। कल वाली एक मॉटिंग में आए थे, उन्होंने 'अच्छे सुझाव दिए', कुछ माने और कुछ नहीं माने। यह तो डेमोक्रेसी का जेवर है, अलंकार है। इस के बगैर गुजारा नहीं होता है डेमोक्रेसी में। डेमोक्रेसी की यह खूबी है कि किसी की बात को मानो और किसी की बात को न मानो। लेकिन जो बात नहीं मानते हैं, वे अलहदा हो जायें। भगत जी ने बड़ा कुछ कहा, उन्होंने मेरी सहायता की, इसलिए मैं उनका धन्यवाद देता हूँ। हमारे रवीन्द्र वर्मा जी बहुत सुलझे हुए और एक्स-मिनिस्टर भी रहे हैं, लेबर मिनिस्टर रहे हैं। उन्होंने हम को बहुत सी बातें बताई हैं। उन को हमने अपने दिमाग में नोट कर लिया है ... (व्यवधान) ...

सभापति महोदय : ज्ञानी जी ठीक कह रहे हैं। इसी लिए जो नाम उन का ज्ञानी है। नोट नहीं करेंगे तो ज्ञानी कैसे होंगे। ... (व्यवधान) ...

श्री जैल सिंह : उन्होंने कहा था कि आर्डिनेंस जारी करने की क्या जरूरत थी। आप यह बात दो तीन बार कह चुके हैं और भी दोस्त कहते हैं कि आर्डिनेंस जारी नहीं करना चाहिए था। उन्होंने मुझे पर्सनली भी कहा था कि आप सादे आदमी हैं, लेकिन कभी कभी कनिंग भी हो जाते हैं। उसका मैं जवाब नहीं दूंगा, सिर्फ याद दिलाता हूँ मैं आप की इस बात का ख्याल रखूंगा कि सादगी को रखूँ और कनिंग न बनूँ। मैं आपको यकीन दिलाता हूँ।

एक और बड़ी बात कही गई कि यह आर्डिनेंस आई. एम. एफ. के दबाव पर आया है और इस का समर्थन हमारे इन्द्रजीत गुप्ता जी ने भी कर दिया। इन्द्रजीत गुप्ता जी बहुत ही सुलझे हुए, मार्क्सवादी, लेनिनवादी और कम्युनिस्ट पार्टी के मजबूत एक नेता हैं

और कम्युनिज्म को तो अच्छी तरह जानते हैं। उन्होंने कहा कि आप गलती करते हैं, इन्टरनेशनल अग्रेडेशन के इशारों पर अमन करते हैं, उसने नुकसान होगा और दूसरी बात में उन्होंने कहा कि आई.एल.ओ. के मेम्बर होने हुए भी भारत वाले उसका ध्यान नहीं रखते हैं यह भी इन्टरनेशनल है और वह भी इन्टरनेशनल है आई. एम. एफ. और आई. एल. ओ. (व्यवधान)

SHRI SATYASADHAN CHAKRABORTY: We are fully convinced; we are totally convinced. No explanation is needed.

- श्री जैल सिंह : आप का शुक्रिया, तशरीफ़ रखिये ।

SHRI SATYASADHAN CHAKRABORTY: At least, say something which is intelligible.

श्री जैल सिंह : चेयरमैन साहब, उन का कहना यह था कि जो आई.एल. ओ. है उस को डायरेक्शन तो लिया करो, लेकिन आई. एम. एफ. जिस से हम को पैसा मिलता है उस को मत मानो

श्री इन्द्रजीत गुप्त : क्या आप उस की मानेंगे ?

श्री जैल सिंह : श्री इन्द्रजीत गुप्त को मालूम होगा कि इण्डिया उस का मेम्बर है, उस से जो मॉनिटरी सहायता ली गई है वह हमारा हक है, डवेलपिंग कंट्रोल के लिये यह प्राविजन किया गया है जो हम वहां से ले रहे हैं उन की डायरेक्शन नहीं मान रहे हैं, बल्कि वहां अपनी राय भी देते हैं। अगर कोई मेम्बर यह कहे कि पार्लियामेंट में कोई फैसला हुआ वह गलत है, उस को नहीं मानेंगे तो न मानिये। आई. एल. ओ. में हमारा डेलीगेशन जाता है, उन की मॉटिगज में हिस्सा लेता है, उन के फैसले जात को सुनते

हैं, देखते हैं, लेकिन उन के फैसले ऐसे नहीं होते हैं कि हर कंट्री में वैसा ही कर दिया जाय। मैं आप से पूछता हूं - क्या हम अपने मजदूर को उतनी तनखाह देंगे जो यू. एस. ए. में मिलता है ?

दूसरी बात उन्होंने ने यह कही कि वहां का सिस्टम आफ गवर्नमेंट अलग है और यहां का सिस्टम आफ गवर्नमेंट अलग है। यह एक बहुत अच्छी बात है, एज्यूकेटिव बात है। पहले सिस्टम को जनजनों तक आगे चलेंगे। मैं पूछना चाहता हूं - आप कौन सा सिस्टम को पसन्द करते हैं

श्री इन्द्रजीत गुप्त : वह मैं आप को बाद में बतलाऊंगा ।

श्री जैल सिंह : बहुत अच्छा होता, आप हाउस में बतला देते कि आप हिन्दुस्तान में क्या सिस्टम चाहते हैं? जो हमारा सिस्टम आफ गवर्नमेंट है वह डेमोक्रेटिक सिस्टम है, लेकिन आप बतलाइये आप को कौन सी डेमोक्रेसी पसन्द है, इस मुल्क के लिये रशियन डेमोक्रेसी ठीक है या चाइनीज डेमोक्रेसी ठीक है ? दुनिया में कुछ दूसरे सोशलिस्ट कंट्रीज भी हैं, उन के यहां भी डेमोक्रेसी है, उन के तर्जों हुकूमत को आप क्यों नहीं प्रचारते। इक दिन भी आप ने नहीं कहा कि कांस्टीचूशन में तबदीली लाओ---इस तरह से मुल्क का सुधार होगा

श्री इन्द्रजीत गुप्त : बहुत बार कहा है ।

श्री जैल सिंह : तब फिर उस पर अमल कीजिए। हमारे कांस्टीचूशन के प्रीएम्बल में लिखा है कि यह मुल्क 'सोशलिस्ट, डेमोक्रेटिक सेकुलर रिपब्लिक है।' जब इस में सोशलिस्ट लफ्ज है तो फिर इस सोशलिस्ट गवर्नमेंट को आप सोशलिज्म की बातें क्यों नहीं बतलाते, बजाय इस के आप छोटी छोटी बातों में लड़

[श्री जन सिंह]

रहे हैं। आप हम को डेमोक्रेसी का सबक सिखनाते हैं, लेकिन जहाँ से आप ने सीखा है जरा सोचिये।

श्री इन्द्रजीत गुप्ता : लन्दन से।

श्री जेल सिंह : हम तो हिन्दुस्तान के जो महापुरुष थे उन की ध्योरी को मानने वाले हैं। हम गरीबों के साथ हैं। हम समझते हैं — समाजवाद न्याय करा सकता है, इस में लोगों को न्याय मिलता है, इस में मुनाफाखोरी की जगह नहीं होती है, वर्किंग क्लास को इस में सम्मान मिलता है, सब बांट कर खाते हैं। आपका समाजवाद कहता है कि जरूरत से ज्यादा हो तो बांट दो, लेकिन हमारे हिन्दुस्तान के महापुरुषों का समाजवाद यह नहीं कहता, वह कहता है — जितना भी है, बांट कर खाओ, अगर थोड़ा है तो थोड़ा बांट कर खाओ। हम उन आदर्शों पर चल रहे हैं। हम भी सोशलिस्ट हैं और आप भी सोशलिस्ट हैं...

एक मननीया सदस्य : बिरला, टाटा कितना बांट रहे हैं ?

श्री जेल सिंह : बिरला-टाटा की बात पर भी आने वाला हूँ, लेकिन बाटा का नाम आप नहीं लेते, गोयनका का नाम नहीं लेते ? चित्त बसु जी ने हम को मिला दिया — स्टीफन साहब को, मुक्ष को नवल टाटा के साथ, लेकिन उन्होंने ने बाटा का नाम नहीं लिया, न बिरला का नाम लिया और न गोयनका का नाम लिया, जितने बिग-हाउसेज हैं सब का नाम लेना चाहिये था। मैं वह पोलिटीशियन नहीं हूँ कि एक बिग-हाउस के साथ प्यार करता रहूँ और दूसरे के खिलाफ रहूँ। हम तो थ्योरिटिकली अमीर आदमी की जो अमीरी है उस को इजाजत नहीं देना चाहते हैं कि वह गरीब और वर्किंग क्लास का खून चूसता रहे और अपनी कमाई बढ़ाता रहे।

हम तो उस को रोकना चाहते हैं, चाहे वह कोई भी हो।

मैं इन्द्रजीत गुप्ता के प्रति कोई ऐसी बात नहीं कहना चाहता हूँ जैसे कोई शकोशुबह की बात हो, वह पक्के कम्युनिस्ट है, लेकिन कम्युनिज्म का काम नहीं कर रहे हैं। समर मुखर्जी साहब जो हैं वे सी० पी० एम० में हैं, आप सी० पी० आई० में हैं और अब एक आल इंडिया सी० पी० आई० बन गई है और इस के अलावा एक सी० पी० एम० (एल) है। हम सब को वाच करते हैं, सब को ध्यान से सुनते हैं, उन की बातों का खयाल रखते हैं। हमारा जो यह डेवलपिंग कण्ट्री है, उस के रास्ते में सोशलिज्म आ जाए, उस को हम अपना लें और यह देश तरक्की करे, ऐसा हम चाहते हैं लेकिन मैं क्या करूँ जब समर मुखर्जी साहब यह सर्टीफिकेट देते हैं कि यह देश फासिज्म की तरफ चल रहा है। समर मुखर्जी और आप, दोनों को मैं बड़े अदब से कहता हूँ कि आप हमें अच्छी तरह से समझ लें। आप के खयाल में हम फासिस्ट हो गये लेकिन मेरा खयाल है कि न आप कम्युनिज्म को मानते हैं और न सोशलिज्म को मानते हैं, आप किसी इज्म को नहीं मानते बल्कि सिर्फ अपोर्युनिज्म को मानते हैं और अपोर्युनिज्म जो है, वह कैपिटलिज्म से भी खतरनाक है। मैं आप से प्रार्थना करूँगा कि क्योंकि आप बहुत समझदार हैं लेकिन जितनी छोटी बुद्धि मेरी है, उस से मैं यह कहना चाहता हूँ कि एक रास्ते पर चलिए, राईट हो जाइए या लेफ्ट हो जाइए।

श्री इन्द्रजीत गुप्ता : बीच में न जाएं।

श्री जेल सिंह : बीच में चलो क्योंकि डबल सड़कें भी होती हैं मगर जो किसी तरफ न हो, जिगजेग हो, उस का आप ध्यान रखें क्योंकि उस में काफी एक्सीडेंट्स हो जाते हैं। आप भी कोई रास्ता अपनाइए, हम बे तो

अपना रास्ता अपनाया हुआ है और सोच समझ कर अपनाया है और यह बिल इसलिए नहीं ला रहे हैं कि हम कंट्रोल नहीं कर सकते हैं। आप का यह ख्याल है कि हम कमजोर हुए हैं, हम कंट्रोल नहीं कर सकते हैं। हम कंट्रोल कर सकते हैं और करेंगे, आयन्दा के लिए रास्ता साफ़ है, आप को परमात्मा जिन्दा रखे और आप यहां पर बैठ कर देखेंगे कि कैसे आगे बढ़ते हैं।

मैं चाहता था कि वर्मा जी की बातों पर अपने विचार रखता लेकिन समय कम है और चेयरमैन साहब सोच रहे हैं कि मैं ज्यादा समय ले रहा हूं। मैंने भारतीय जनता पार्टी के नेता श्री अटल बिहारी वाजपेयी की तकरीर सुनी, कुछ कमरे में बैठ कर सुनी और कुछ यहां बैठ कर सुनी और उस के बाद स्टीफन साहब जो यहां पर बोले, उन्होंने उन की सब बातों का जवाब दे दिया होगा लेकिन एक दो बातें जो वाजपेयी जी ने बताई, उन के बारे में कुछ कहना चाहता हूं।

एक बात तो उन्होंने यह कही कि जब मैं पंजाब गया था, तो रास्ते में देखा कि फसलें बरबाद हो रही हैं पानी के बगैर। वाजपेयी जी, यही तो कारण है, यही तो वजह है, जिस से हमें ऐसा बिल यहां लाना पड़ा है। फसलें बरबाद हो रही हैं। क्यों हो रही हैं? वर्मा जी, उन से बात फिर कर लेना, हम से भी बात करो, प्यार किया तो डरना क्या। मैं वाजपेयी जी से बड़े अदब से कहता हूं कि सिर्फ फसलों को ही नहीं बल्कि इंडस्ट्री को भी बिजली की कमी होने के कारण धक्का लगा है।

श्री अटल बिहारी वाजपेयी : मजदूरों की वजह से नहीं।

श्री जैल सिंह : पंजाब में 4 लाख के ऊपर ट्यूबवेल्स हैं और आप ने पंजाब में देखा कि वहां फसलें सूख रही हैं। अगर

बिजली पूरी मिलती हो, तो वह फसल कुछ बचाई जा सकती है। की बिजली अब मिलती है और आप के कहने से अगर वहां पर हड़ताल करवा दी गई, तो वह भी चली जाएगी। बिजली वाले भी अगर हड़ताल करते हैं, तो हम जो एसेंशियल सर्विस कहते हैं, वे ऐसी बातों के लिए ही कहते हैं।

श्री कृष्ण चन्द्र हाल्बर (दुर्गापुर) :
बिल के ऊपर बोलिए ?

सभापति महोदय : मैं समझता हूं कि आप बिल पर बहुत कुछ बोल चुके हैं, इसलिए जल्दी खत्म कीजिए।

श्री जैल सिंह : चेयरमैन साहब, अब मैं समाप्त करता हुआ मूल बातें जो हैं, उनके बारे में कहना चाहता हूं।

17.30 hrs.

[MR. DEPUTY-SPEAKER in the Chair]

मैंने यह बता दिया है कि यह बिल लेबर के अधिकारों पर डाका नहीं है। जो यह कहा गया कि हम तानाशाही की तरफ जा रहे हैं, हम तानाशाही की तरफ नहीं जा रहे हैं, यह भी मैंने बता दिया है। अथोरिटी की बात की गई इसके बारे में यह समझो कि यह लफ्ज अथोरिटी से निकला है। कुछ भी हो उसकी चर्चा करने की जरूरत नहीं। मैं तो मेम्बर आफ पार्लियामेंट हूं और सरकार में हूं। सरकार अपनी खामियां छुपाने के लिए नहीं हैं। हमारे बीच में आप किस लिए बैठे हैं, आपको हमारी खामियां बतानी चाहिए। अगर हम गलती करते हैं तो हम जागरूक रहेंगे और अपनी गलती को ठीक करेंगे। मैं तो भगत कबीर जी के उपदेश को मानता हूं —

निन्दो निन्दो सोको लोक निन्दा
निन्दा जनको. खरी प्यारी,
निन्दा बाद निन्दा महतारी
निन्दा करा सो हमारा मित
निन्दना माहे हमारा चीत।

(व्यवधान)

[श्री जैन मिह]

हम धवराते नहीं हैं। अब ये कहते हैं कि इसका ट्रांसलेशन कर दो यह तो ब्रजभाषा में है और अगर इसका ट्रांसलेशन मैं करूंगा तो बेल खटक जाएगी और एक मिनिस्टर के लिए बेल का खटकना अच्छा नहीं है।

हम से ये कहते हैं कि हम लोगों की आंखों में धूल डालते हैं। मैं हिन्दुस्तान के लोगों के आगे यह बात रखूंगा कि बताओ भई आपकी आंखों में धूल कौन डालता है, हम डालते हैं या ये डालते हैं। हम से कहते हैं कि हम टाटा, विरला की हिमायत में व्याख्या करते हैं। अब आप मुझे बताओ कि क्या टाटा और विरला रेलवेज में हैं, क्या वे बिजली में हैं, क्या वे डाक तार या टेलीफोन में हैं? कहां हैं ये टाटा और विरला (व्यवधान)।

फिर हमारे आनरेबल मेम्बर साहेबान कहते हैं कि लोक आऊट और ले आफ को लो मिला लिया, क्लोजर को क्यों नहीं बीच में रखा? मैं उनसे प्रार्थना करता हूँ कि हम तो रखना चाहते थे लेकिन उसमें अदालत की रुकावट आ गई। पहले यह इंडस्ट्रियल डिस्प्यूट एक्ट में था मगर जब यह अदालत में चलेज हुआ तो उन्होंने इस क्लोज को स्ट्रक डाऊन कर दिया। इसलिए हम इसको इसमें नहीं रख सके। वरना हरेक बात जो मजदूर के हक में है वह हमने इसमें रखी है।

मेरे पास आपकी बातों का जवाब बहुत है लेकिन मुझे अहसास है और आपको भी अहसास है और पार्लियामेन्टी अफेअर्स मिनिस्टर भी मेरे पीछे क्या कह रहे हैं, इसको भी मैं समझता हूँ इसलिए जल्दी ही अपनी बात को समाप्त करता हूँ।

मैं आपसे फिर कहता हूँ कि हमने स्ट्राइक बेन नहीं की, खास-खास हालतों में

स्ट्राइक को बेन करने के अधिकार लिये हैं। हमने जुलूस और जलूस करने बन्द नहीं किये हैं, हमने स्लोगन लगाना बेन नहीं किया है। हरेक चीज के लिए छूटी है। लेकिन साथ ही इस बात की गारण्टी दी है कि हम ऐसे हालात नहीं बनने देंगे जिनमें कि उनको हड़ताल करनी पड़े फिर मुझे शक नहीं कि कोई हम को इस विन से डुबो देगा। समर मुखर्जी यह हम को नहीं डुबायेगा, बल्कि एक तबका है, यह वह तबका है जिसका काम है इन्स्टीगेट करना। यह उसको डुबायेगा। जहां भी कोई मिल गया, उसका काम उसको इन्स्टीगेट करने का है। ये इन्स्टीगेट करके चल देते हैं, फिर चाहे मजदूर जाने या खेत का जमींदार जाने, उनमें लड़ाई हो, झगड़ा हो, कोई मरे, ये तो पीछे चले जाते हैं। ये एक्सप्लोडर हैं। ऐसे लोगों को सोसायटी और पार्टी से बाहर करो, इनका कोई फायदा नहीं है। सोसायटी या पार्टी को कोई फायदा नहीं है।

श्री इन्द्रजीत गुप्त ने एक बड़ी दूरन्देशी की बात कही। मैं उससे इत्तिफाक करता हूँ। उन्होंने दोष लगाया कि यह हमारा कुसूर है। उन्होंने सरदार पटेल का भी नाम लिया। मेरे खयाल से सरदार पटेल ने जो काम किया होगा वह देश के भले के लिए ही किया होगा। अब कांग्रेस की हिस्ट्री पढ़ कर देख लेंगे कि कब "इंटक" बनी और कब "एटक" बनी। (व्यवधान)

मैं उनकी प्रशंसा करता हूँ कि उन्होंने यह बात खुलकर कही कि मजदूरों को आपस में लड़ाते हैं मजदूरों का नुकसान करते हैं, इस बात से उन्होंने इत्तिफाक किया, लेकिन यह बात उन्होंने नहीं कही कि भई हम मजदूर का भला चाहते हैं, अगर तुम जिद करते हो तो तुम अपनी बनाओ, हम अपनी तोड़ देते हैं। (व्यवधान) यह बात उन्होंने नहीं कही। एक अस्पताल

में एक माता का बेटा चुराया गया और दूसरी औरत ले गई। जगड़ा बढ़ा, एक कहती थी मेरा बेटा है, दूसरी कहती थी मेरा बेटा है। अदालत कैसे फैसला करे। तब एक बात कही गई कि इस बच्चे का दोनों औरतें दावा करती हैं, इसलिए इस बच्चे को आधा-आधा काट दो और दोनों में बांट दो। जब बच्चे को काटने लगे तो जो असल मां थी, उसने कहा कि मत काटो, बच्चा मेरा नहीं है, लेकिन अदालत ने कहा कि नहीं— बच्चा आपका है, क्योंकि दूसरी औरत को कोई तरस नहीं आया, वह असल मां थी ही नहीं। इसी प्रकार आपको क्या है, मजदूर कटें, मरें, क्योंकि आप तो मजदूरों के हैं ही नहीं, लेकिन हम तो मजदूर के लिए हैं और मजदूर की हिमायत करते हैं, चाहे हमारा नुकसान हो जाए, बुरा हो जाए, लेकिन हम मजदूर का भला करेंगे। इसलिए आप ज़रा सोचिए। आल पार्टी मीटिंग बुलाइए, मुझे भी बुला लोजिए और उसमें हम फैसला कर लेते हैं कि हर एक यूनिट में एक ही यूनियन हो, तो फिर आप कोई चिंता न कीजिए। भारतीय जनता पार्टी को अपना मजदूर संघ बनाने दीजिए, सोशलिस्टों को अपना बनाने दीजिए, चन्द्रजीत यादव को अपना बनाने दीजिए, जनता पार्टी को चन्द्रशेखर को अपना बनाने दीजिए, शायद चन्द्रशेखर यूनाइटेड पार्टी के चेयरमैन बन सकते हैं, क्योंकि वाजपेयी को तो किसी ने नहीं मानना और समर मुखर्जी को भी किसी ने नहीं मानना, वे माने जा सकते हैं, क्योंकि भले और नेक आदमी हैं, पहले भी वे माने गए हैं, शायद वे ही आ जाएं, फिर इन्द्रजीत गुप्ता तो समझदार आदमी हैं टेबल पर बैठकर सुलझा सकते हैं, इसमें लड़ने-भिड़ने की क्या जरूरत है ?

डिप्टी स्पीकर साहब, इस विल की व्याख्या करते हुए, जवाब देते हुए मैं इसका फायदा उठाना चाहता हूँ। मेरी ये प्रार्थना है कि अनेस्टी से जिन बातों पर आप

बिलीव करते हैं, वे बातें आप कहें और हिन्दुस्तान के संविधान के मुताबिक आपका कम्युनिस्ट मेनीफेस्टो लागू नहीं होता। आप कम्युनिस्ट मेनीफेस्टो को पढ़ते हैं, हम भी पढ़ते हैं। हम तो उसको मानते नहीं, हम तो आजाद हैं। हमारा इज्ज क्या है, हमारा तो नेहरूइज्ज है, हम तो उसी पर चलते हैं, लेकिन आपका इज्ज क्या है, अगर कम्युनिज्म है तो कम्युनिस्ट मेनीफेस्टो को मानो, अगर कोई और है तो और बात है, लेकिन मैंने जो बात कही, वसा इज्ज न बनाना, नहीं तो एक्सीडेंट हो जाएगा, नुकसान हो जाएगा।

MR. DEPUTY-SPEAKER: Mr. Somnath Chatterjee. I think your reply will not be so long as that of the Minister.

SHRI SOMNATH CHATTERJEE (Jadavpur): I would not like to match with him in flippancy.

Sir, in my ten years of experience in this House, I have never seen an important debate on a subject which is agitating lakhs and lakhs of people of this country is being dealt with by the Home Minister of the Government of India in a way that I have seen to-day. It is flippancy, frivolousness, lack of seriousness and not a single point which we have raised has been replied to. We have not been indulging in words-playing here. We are trying to voice the sentiments of a very large section of this country....(Interruptions)

About the way it has been dealt with, I hope a full report is published in the papers so that the people of this country can realise what is happening. I feel we have reached the nadir in this country....(Interruptions)

MR. DEPUTY-SPEAKER: You don't interrupt him. Mr. Chatterjee you don't reply to the interruptions.

SHRI SOMNATH CHATTERJEE: I have never made a personal attack. He has not understood me. It is very unfortunate.

आचार्य भगवान बेब (अजमेर) :
ये लोग भी हंस रहे थे उस समय। (व्यवधान)

श्री जैल सिंह : किसी भी मेम्बर को क्रिटिसाइज करने की इजाजत नहीं हो सकती। खयालों के खिलाफ कह दें, मैं आपके और आप मेरे खयालों के खिलाफ कह दें, कनविस न हों, इससे कोई फर्क नहीं पड़ता है। मैं आपका नाम बहुत अदब से लेता रहा हूँ। लेकिन आप मेरी जात पर हमला करने लगे तो मैं आपको यह नहीं करे दूंगा।

SHRI SOMNATH CHATTERJEE: He has not understood me. I never make any personal attack.

MR. DEPUTY-SPEAKER: Come to the subject proper.

SHRI SOMNATH CHATTERJEE: I am dealing with the subject. Who made the allegations against us? I have not made any personal attack. If he does not understand, he should not interrupt.

MR. DEPUTY-SPEAKER: Order, Order. Let him continue.

SHRI SOMNATH CHATTERJEE: Mr. Deputy-Speaker, Sir, I expect this much by all sides of the House that this is a very important measure which we are discussing. Therefore, let us be serious.

There are bound to be different points of view. If I express my viewpoints, the hon. Members on the other side may also express their viewpoints. We know that this Bill will be passed. Whatever submissions we may make, atleast, we expect you to listen to them whether you like them or not. Try to deal with them. That is our only expectation so that even at this stage we might try to persuade them. I have two points to make. Why an ordinance was issued three weeks

before the House was to sit? The Ordinance was issued which, in a way, has not been implemented because no order has been issued. This has not been answered. I hope the hon. Minister will try to deal with what I am saying. The fact is that no order was issued as contemplated by Section 3 of the Ordinance. The Home Minister said that it showed that Government was not vindictive; it means no strike has been banned as yet. Where was then the immediate need for the action? The reason was to create a fear psychosis and to arm itself with a stick. Here they not issued an order. You are not vindictive towards them even if they go on strike. When it comes to the right to strike, here comes the danda.

AN HON. MEMBER: What is wrong in it?

SHRI SOMNATH CHATTERJEE: Therefore, Sir, the real object of this Ordinance has been, no reason has been given for taking any immediate action, no action has been taken as visualised or contemplated by Article 123 of the Constitution of India which says only when the President is satisfied that immediate action is necessary an Ordinance can be issued, no action has been taken but only a fear psychosis has been created in the country that you workers and labourers in this country you are at my mercy. If you raise your voice of protest, if you make any demand, if you disturb the employers or if you disturb the modern day employers in the private sector and also in the public sector under the inspiring leadership of Mr. Stephen, then this Government will not spare you. You are not allowed to raise any protest. You have to suffer in silence whatever may be the state of economic condition in this country, whatever may be burden on the common people in this country, whatever may be the doubts in the peoples minds as to what are the real intentions of this Government, you cannot raise any

voice of protest. So, it is to create a psychosis in the peoples mind.

Sir, they have got the National Security Act. If anybody is acting against public order or against the security of the country, they can liberally use that. Tell us how many anti-socials have been arrested under NSA. We have been asking for this information and the reply given is that we do not have the break-up of the detenus under NSA. Sir, no answer has been given as to why an Ordinance has been passed—when we say this we do not make any reflection on the President or Rashtrapati—and how his office has been utilised to pass this Ordinance against the Constitution. He has to sign on the dotted line. No explanation has been given as no explanation can be given.

Sir, the next is what was the necessity of this Bill? Mr. Bhagat said one thing at least that the Government has no intention to ban a strike which is for a legitimate cause. I interrupted him at that time with his permission. Is there any exception in this legislation, Sir? Has anybody said so from the Treasury Benches? The main spokesman, the hon. Home Minister, took umbrage when I described him as Police Minister because he did not understand. Now, the hon. Communications Minister, I do not know, in what capacity he has intervened in the debate.

SHRI C. M. STEPHEN: As a Member of Parliament.

SHRI SOMNATH CHATTERJEE: Not as a Cabinet Minister. As an hon. Member of this House. Not a word has been said. There are many strikes which have been held by the Supreme Court to be justified strikes. The Supreme Court is bad when they hold in favour of the workers but the same Supreme Court has held in favour of the Bearer Bonds. Then it is very good. When this Ordinance is upheld then the Supreme Court is very good, but this very Supreme Court has said

that there are strikes which are justified strikes. Workers are justified in going on strikes. There have been certain cases; I had the privilege of appearing for the Union in certain cases like the Greaves Cotton Case. What has been said there? They said, a strike in which a pay cut was affected, was a legitimate strike; the employer was bound to pay wages for the days the workers were on strike. Now what is the protection for that, Sir, in the present Bill? There is no protection for that. Can they not carry on any legitimate strike, any bonafide strike, any strike which is forced upon the workers? No. Mr. Bhagat thinks that legitimate strikes will be outside the pale of this legislation. He said 'if the strike is supported by legitimate demands' and so on. I hope he will take it to be legitimate; I think Mr. Tytler will also take it that way. He said that in order to improve the economic situation in the country, for effecting greater production, this measure is necessary. That is the sort of common refrain which we find in the speeches on the opposite side,—that for greater economic development, to improve the economic situation, to achieve greater and greater production, this Bill is necessary, which, Sir, according to Mr. Stephen, has not been implemented. The hon. Home Minister takes the credit: They have not been vindictive as they have not imposed it. Therefore, the sum total of their submission on the justification of this measure is that the economic situation has to be tackled by more and more production. We gave statistics from the Government records. We do not invent those records. I gave only minimum statistics. In my opening remarks I said that I do not wish to burden the members with statistics. I gave only certain minimum figures. Shall I remind the Home Minister who had been busy with his emergency activities in Punjab, but, hon. Mr. Stephen was here, about what happened in 1976? Sir, in 1976 lockouts represented 78 per cent of the mandays lost at the height of

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the emergency. What did you do? It came down once in 1979 to 18 per cent. And now as soon as they find their friends in power in Delhi again, the Tatas and Birlas and what not, have taken it up to 46 per cent. Lock-outs were forgotten in the Ordinance. Therefore, when we are giving this figure, it starts from 1971 and we have got the figures upto 1980. Whatever has gone up has come down. 1.30 crore mandays were lost in 1980. Now, there is a substantial drop. It is a drop from 82 per cent to 54 per cent. There is an increase from 18 per cent to 46 per cent so far as lockouts are concerned. Then, you are tackling the economic situation in this country by banning strikes which had come down substantially which have not in fact been banned? Then, what is the real justification for this Bill? How are you changing the economic situation in the country? Since 26th of July, 1981 when this ordinance was promulgated, has the price of any single article in this country come down by even a single naya-paise? No. Then, how has it been utilised—What is the real reason for this measure for which no answer has come from Mr. Sukhadia, who missed the bus, I don't know willingly or unwillingly.

MR. DEPUTY-SPEAKER: Don't have side remarks; there is no time.

SHRI SOMNATH CHATTERJEE: Mr. Sukhadia said, it is necessary in the present condition to maintain production in the Railways, to make the Railways run and for defence purposes and so on and so this ordinance is necessary. How was the situation created? Mr. Stephen has been showing his red eyes to the P&T employees. For months and months he has been showing them his red eyes. His eyes are red so far as the workers are concerned with or without the Ordinance. It is something not new. Then the other thing is this. Mr. Stephen says

"why not the Ordinance?" The reason given by him is that they promulgated the Ordinance because something was going to happen in the Railways and P&T. But you have not stopped the strike there. Therefore, the intention was to strike terror. Then he comes out with the real object. It is a penal legislation. That is why the Home Minister has brought it. They want to convert the working class in this country into criminals. That why a penal legislation has been made. But there is no penal legislation for hoarders, blackmarketeers and profiteers. I am reminded of the Essential Commodities Act which has been amended. How many have been arrested and produced for summary trials? How many have been sent to jail? This is the situation in this country. Summary trials are also provided for profiteers and blackmarketeers, but They are never implemented. So, this is the character of this Government. One does not even need to scratch to find out their real ugly face. Whatever the reason, that is thoroughly exposed and the country has come to know what the position now is Mr. Stephen has said, that only for six months an order will remain in force. Sir, it is a wonderful explanation. Not only that. A worker goes to jail, he loses his job. They are not happy with providing for disciplinary action and dismissal alone. But he loses job and goes to jail. Whoever supports him, the person who helps him, goes to jail for one year. He has said that this is the simple law which a simple Government has conceived to do it in a very simple situation. You know the present rising inflationary situa-

tion, greater burden on the common people, more and more unemployment, but here the economic situation is not being solved in this country and greater and greater repression is going on. You say that this is a simple legislation. Mr. Stephen has conceded to-day, he is on record, that he never objected to this ordinance. We are under no illusion. He asks "What is the provision in this Bill or in this Ordinance? The order will be for 6 months." It is six months but with a gap of a week or 10 days or even one day it can be re-imposed. There is no bar and we saw how the MISA which had a time-limit, after the expiry of the time-limit the MISA detenus were released but they were immediately detained again. I am talking about the pre-Emergency days. After six months, again it can be re-imposed and continued. There is no bar. Then what is the good of saying that it is only for six months.

It says that in matters of public interests and essential services, they should have the right to decide. What is the public interest? Therefore, any service can be considered by them as essential service. It does not leave out any service in this country. All services are essential services with which the Central Government has anything to do. They say "we are the persons to decide and we will not allow anything to be done. We will not allow any demands being made." I do not know whether Mr. Stephen during his stewardship of INTUC had taken his workers to strike for some fun or picnic. There may be 1 or 2 cases where we may have differences of

opinion with the organizers of the strike. In how many cases have workers gone on strike for a mere picnic, or for mere fun?

Conciliation machinery has been given a go-by. There is a very pertinent point: we heard one of the most brilliant speeches yesterday from Mr. Ravindra Varma. He exposed the Government thoroughly. What is going to happen to the conciliation machinery? What is the procedure for redressal of grievances? As he said, the conciliator is being substituted now by a policeman. What is to be done? 18 hrs.

SHRI C. M. STEPHEN: This has been emphatically replied to. The Industrial Disputes Act is there. Its operation is going on. You speak as if you have not listened at all.

SHRI SOMNATH CHATTERJEE: I am thankful for that. He says the Industrial Disputes Act will operate. I am thankful to him for reminding us once more. But Clause 12 of your Bills is there.....

SHRI C. M. STEPHEN: What does Clause 12 tell? If there is contradiction between the two, this will prevail. That is necessary because if the other Act says the punishment is six weeks, and under this Bill it is twelve, this Bill will prevail. (Interruptions)..

SHRI SOMNATH CHATTERJEE: I would have been happy if I could take it as the exposition of the Government's view—this interpretation of his.

SHRI C. M. STEPHEN: Yes, sure.

SHRI SOMNATH CHATTERJEE:

If the language is clear.... (Interruptions) The judges will not look at Mr. Stephen's interjection.... Clause 12 says:

"The provisions of this Act and any order issued thereunder shall have effect notwithstanding anything inconsistent therewith contained in the Industrial Disputes Act or in any other law for the time being in force."

SHRI C. M. STEPHEN: It is correct.

SHRI SOMNATH CHATTERJEE:

This Bill is given over-riding effect over any other law in this country.

SHRI C. M. STEPHEN: Is there any statute, any law where this 'notwithstanding' provision does not come in? "Notwithstanding" provision comes in every law.

SHRI SOMNATH CHATTERJEE:

The Home Minister did not say that they were pledged to the conciliation machinery.

SHRI C. M. STEPHEN: That is said in the very statement.

SHRI SOMNATH CHATTERJEE:

Only when every effort to negotiate a settlement fails, they will think of issuing an order—that has not been said as Government policy. On the other hand, the policy statement has been referred to. In that memorandum justifying the shortening of the period of circulation of the Bill, they said: We are trying to prepare a policy statement laying down how

they will deal with the redressal of grievances of workers. What is given out? We have heard what the Home Minister has read out. What is the machinery that has been suggested? A new thing has been suggested. What has been suggested in the so-called policy statement as to compulsory adjudication or compulsory conciliation or any attempt to narrow down the differences between the employers and the employees?

Mr. Stephen was a party to the agreement, as the president of one of the Bangalore units—public sector units.

SHRI C. M. STEPHEN: Why do you come back to it? We have discussed it on different occasions. Why do you come back to it? They wanted to scuttle the agreement. We were not prepared to agree to the scuttling of the agreement. It had to remain. Interpretations differed. We said we would refer to arbitration. We were not willing to accept their terms. Some terms were given. They accepted. Some options were given. They accepted the options we gave earlier. Why are you coming up to the Bangalore question again and again? They were discussed repeatedly. (Interruptions).

SHRI SOMNATH CHATTERJEE:

I only reminded him—If I was wrong, I could be corrected—that he was a party to the agreement which was sought to be implemented, and the workers and employees had gone on an agitation and movement, because they wanted the implementation of the agreement to which, as a labour and trade union leader he was a party. And then he went to Bangalore; and

what his role has been I need not go into, because he is unduly getting agitated and excited.

We are told of violent agitations. (Interruptions) It is not good at any age, especially at our age, to get so much excited. The hon. Minister Mr. Stephen has referred to violent agitations that have been going on. From 1977 to 1980, we have got the figures of violent agitations. They have come down to 542. In 1978, it was 840; in 1981, it was 170. Which particular sector, which factory, which industry has come to a standstill because of violent agitations?

As I said, we wanted objective materials for us and for the country to judge whether there is any basis for issuing this Ordinance and coming with this Bill. Then we come to the hon. Home Minister's observations. Some of our members on this side have said about what he had said yesterday. I need not deal with them. What great revolution he had talked of yesterday had been answered by Mr. George Fernandes: I need not go into that. Today and yesterday also the hon. Home Minister referred to his earlier days when he was a labourer, when he was ploughing the fields and that I did not belong to that group. But today we find that instead of a plough, he has got a bayonet in his hands. I come from a family about which he is reminding me which according to him did not face such problems. But I have the great privilege that I have got the confidence and support of the working millions of this country. This is the difference today.

Then a plea has been given that they want to contain the economic crisis in this country. He wants to improve the economic conditions in this country. That is not the real reason. In the public sector also, under the guidance of this Government, under the control of this Government, in many cases, they are behaving in a manner which is worse than even the manner of Tata and Birlas.

Regarding lock-outs and lay-offs, what is the explanation which is being given? They say, due to the greatness of the Prime Minister this has been included but it has not been said how she was under the impression on the 26th July or 27th July or 28th July that lock-outs and lay-offs provision had been included. I do not know even when the Home Minister came to know about the real ambit of this Bill.

A question has come up about the sick mills here. What is going to happen to sick undertakings to which Mr. Indrajit Gupta has referred. We have been repeatedly requesting this Government and asking them to tell us the sickness which has been caused by mismanagement, by misappropriation of funds, by diversion of fund for which the workers are not responsible, what are you going to do about it? What is your policy? Not a word has been said about it. Their own Commerce Minister, Mr. Pranab Mukherjee, the other day, said in Calcutta that in India the position is that when an industry becomes sick, the industrialist, its owner, becomes more and more healthy. This is the admission of Shri

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Pranab Mukherjee, what we have been saying for a long time. Now, what are you going to do? Is there any provision made? Have you provided for the opening of those sick mills? Have you provided for any steps taken against those guilty of criminal activities of mismanagement? Nothing has been said about it, no step is being taken. Therefore, the public interest is not safe in their hands. The concept of public interest, the power which they want to arrogate to themselves to decide alone as to what is in the public interest, is not safe in their hands.

Mr. Frank Anthony referred to the Supreme Court Judge. He referred to the Judges salary. He was very sorry that the Judge get Rs. 2,000 net, and he said, why should the employees of public sector get better emoluments? He said the Janata Government was a non performing Government. We Criticised the Janata Government on many scores. We also criticised Shri Ravindra Varma for piloting the Industrial Relations Bill. There were agitations and demonstrations against them. But the real complaint of Mr. Anthony—he is not here—of non-performance is because for two years he could not come here! He said that there should be greater restrictions on the workers. We treat it with the contempt it deserves coming from a Member of this House.

Sir, the hon. Home Minister and the Communications Minister have not said one word about I.M.F. That is the feeling in this country, that is the suspicion in the minds of the people, no attempt has been made to allay the suspicious no attempt has been made to take the people of this coun-

try into confidence as to what is the basis for obtaining this loan. It is not only a political complaint. Economists have said, expressed their fear, ordinary people have expressed their fear. In the newspapers and economic journals this fear is being expressed but no reply is being given to that. Therefore, we are entitled to have our own conclusion, that there is no answer, we know there is no answer, because there can be a answer, that is why there is no answer. Therefore, the hon. Home Minister thought of equating I.L.O. with I.M.F. that is the only thing I have heard. Nothing more. He said that as a Member of IMF we are entitled to a loan. Therefore, that is the only answer. He said that this will be used to deal with drought in Punjab. Therefore, I feel that no answer has been given to any of the points raised by us. Now, this Bill is thoroughly exposed to be an anti-labour bill, anti-working class, anti-people Bill, and anti-national Bill. We oppose every word, comma, semi-colon of this Bill. Therefore, this House and the people outside should reject it.

MR. DEPUTY-SPEAKER: Now, there are amendments to the consideration motion. Is anybody withdrawing?

SOME HON. MEMBERS: No, no.

SHRI CHITTA BASU: Every word, every inch is to be fought.

MR. DEPUTY-SPEAKER: I shall now put the statutory resolution moved by Shri Somnath Chatterjee to the vote of the House.

The lobbies have been cleared. Due to some fault in the machine, it will not record the vote of Members from Division No. 373 to 378. Therefore, they will give in writing as to whom they are voting. Now, the question is:

"This House disapproves of the Essential Services Maintenance Ordinance, 1981 (Ordinance No. 10 of 1981) promulgated by the President on the 26th July, 1981."

The Lok Sabha divided:
Division No. 6) (18.12 hrs.)

AYES

Acharia, Shri Basudeb
Balan, Shri A. K.
Balanandan, Shri E.
Barnan, Shri Palas
Basu, Shri Chitta
Bhattacharyya, Shri Sushil
Biswas, Shri Ajoy
Chakraborty, Shri Satyasadhan
Chatterjee, Shri Somnath
Chaturbhuj, Shri
Chaudhary, Shri Motibhai
Chaudhuri, Shri Tridib
Choudhury, Shri Saifuddin
Das, Shri R. P.
Ghosh, Shri Niren
Ghosh Goswami, Shrimati Bibha
Giri, Shri Sudhir
Gopalan, Shrimati Suseela
Gupta, Shri Indrajit
Halder, Shri Krishna Chandra
Hannan Mollah, Shri
Harikesh Bahadur, Shri
Hasda, Shri Matilal
Horo, Shri N. E.
Imbichibava, Shri E. K.
Jatiya, Shri Satyanarayan
Jha, Shri Bhogendra
Kodiyar, Shri P. K.
Lawrence, Shri M. M.

Madhukar, Shri Kamla Mishra
Mahata, Shri Chitta
Maitra, Shri Sunil
Mandal, Shri Mukunda
Mandal, Shri Sanat Kumar
Masuda, Hossain, Shri Syed
Mhalgi, Shri R. K.
Mirdha, Shri Nathu Ram
Misra, Shri Satyagopal
Modak, Shri Bijoy
Mohammed Ismail, Shri
Mukherjee, Shrimati Geeta
Mukherjee, Shri Samar
Pal, Prof. Rup Chand
Pandit, Dr. Vasant Kumar
Parulekar, Shri Bapusaheb
Pathak, Shri Ananda
Rai, Shri M. Ramanna
Rajan, Shri K. A.
Rajda, Shri Ratansinh
Riyan, Shri Baju Ban
Roy, Shri A. K.
Roy, Dr. Saradish
Roy Pradhan, Shri Amar
Saha, Shri Ajit Kumar
Saha, Shri Gadadhar
Sen, Shri Subodh
Shakya, Shri Daya Ram
Shamanna, Shri T. R.
Shastri, Shri Ramavatar
Shejwalkar, Shri N. K.
Suraj Bhan, Shri
Surya Narayan Singh, Shri
Tirkey, Shri Pius
Unnikrishnan, Shri K. P.
Vajpayee, Shri Atal Bihari
Varma, Shri Ravindra
Verma, Shri R. L. P.
Yadav, Shri Vijay Kumar
Zainal Abedin, Shri

NOES

Ahmed, Shri Kamaluddin

Alluri, Shri Subhash Chandra Bose
 Amarinder Singh, Shri
 Ankineedu Prasad Rao, Shri P.
 Anuragi, Shri Godil Prasad
 Appalanaidu, Shri S. R. A. S.
 Arakal, Shri Xavier
 Azad, Shri Bhagwat Jha
 Azad, Shri Ghulam Nabi
 Batha, Shri D. L.
 Bajpai, Dr. Rajendra Kumari
 Baleshwar Ram, Shri
 Bansi Lal, Shri
 Barot, Shri Maganbhai
 Barway, Shri J. C.
 Bhagat, Shri H. K. L.
 Bhagwan Dev, Acharya
 Bhakta, Shri Manoranjan
 Bhardwaj, Shri Parasram
 Bhatia, Shri R. L.
 Bhoi, Dr. Krupasindhu
 Bhole, Shri R. R.
 Bhoje, Shri Reshma Motiram
 Bhuria, Shri Dileep Singh
 Brar, Shrimati Gurbrinder Kaur
 Brijendra Pal Singh, Shri
 Buta Singh, Shri
 Chakradhari Singh, Shri
 Chandra Shekhar Singh, Shri
 Chandrashekharappa, Shri T. V.
 Chaturvedi, Shrimati Vidyawati
 Chaudhary, Shri Manphool Singh
 Chennupati, Shrimati Vidya
 Chingwang Konyak, Shri
 Choudhury, Shri A. B. A. Ghani
 Khan
 Daga, Shri Mool Chand
 Dalbir Singh, Shri
 Das, Shri A. C.
 Dennis, Shri N.
 Dev, Shri Sontosh Mohan
 Dhandipani, Shri C. T.
 Era Anbarasu, Shri
 Era Mohan, Shri

Faleiro, Shri Eduardo
 Fernandes, Shri Oscar
 Gadgil, Shri V. N.
 Gadhavi, Shri Bheravadan K.
 Gaekwad, Shri R. P.
 Gaikwad, Shri Udaysingrao
 Gamit, Shri Chhitubhai
 Gandhi, Shri Rajiv
 Gehlot, Shri Ashok
 Ghufan Azam, Shri
 Gireraaj Singh, Shri
 Gomango, Shri Giridhar
 Gounder, Shri A. Senapathi
 Gowda, Shri D. M. Putte
 Gulsher Ahmed, Shri
 Hembrom, Shri Seth
 Jadeja, Shri Daulatsinhji
 Jain, Shri Bhiku Ram
 Jain, Shri Nihal Singh
 Jain, Shri Virdhi Chander
 Jamilur Rahman, Shri
 Jena, Shri Chintamani
 Jha, Shri Kamal Nath
 Kamal Nath, Shri
 Kamla Kumari, Kumari
 Karma, Shri Laxman
 Kaushal, Shri Jagan Nath
 Keyur Bhusan, Shri
 Khan, Shri Zulfiquar Ali
 Kidwai, Shrimati Mohsina
 Kosalram, Shri K. T.
 Krishna, Shri S. M.
 Krishna Pratap Singh, Shri
 Kuchan, Shri Gangadhar S.
 Kunwar Ram, Shri
 Kusuma Krishna Murthy, Shri
 Lakkappa, Shri K.
 Laskar, Shri Nihar Ranjan
 Madhuri Singh, Shrimati
 Mahajan, Shri Vikram
 Makwana, Shri Narsinh
 Mallanna, Shri K.
 Mallick, Shri Lakshman
 Mallikarjun, Shri

Mallu, Shri Anantha Ramulu
 Meena, Shri Ram Kumar
 Mishra, Shri Gargi Shankar
 Mishra, Shri Ram Nagina
 Mishra, Shri Umakant
 Misra, Shri Harinatha
 Misra, Shri Nityananda
 Mohanty, Shri Brajamohan
 Mohite, Shri Yashawantrao
 More, Shri Ramkrishna
 Murthy, Shri M. V. Chandrashekhara
 Murugian, Shri S.
 Muthu Kumaran, Shri R.
 Muzaffar Hussain, Shri Syed
 Nagina Rai, Shri
 Naikar, Shri D. K.
 Nair, Shri B. K.
 Namgyal, Shri P.
 Nandi Yellaiah, Shri
 Narayana, Shri K. S.
 Nehru, Shri Arun Kumar
 Netam, Shri Arvind
 Nikhra, Shri Rameshwar
 Oraon, Shri Kartik
 Pandey, Shri Krishna Chandra
 Panigrahi, Shri Chintamani
 Parashar, Prof. Narain Chand
 Pardhi, Shri Kesharao
 Parmar, Shri Hiralal R.
 Parthasarathy, Shri P.
 Patel, Shri Amrit
 Patel, Shri Mohanbhai
 Patel, Shri Shantubhai
 Patel, Shri Uttambhai H.
 Patil, Shri A. T.
 Patil, Shri Balasaheb Vikhe
 Patil, Shri Chandrabhan Athare
 Patil, Shri Shivraj V.
 Patil, Shri Uttamrao
 Patil, Shri Vasantrao
 Patil, Shri Veerendra
 Patil, Shri Vijay N.
 Patnaik, Shrimati Jayanti

Pattabhi Rama Rao, Shri S. B. P.
 Pilot, Shri Rajesh
 Poojary, Shri Janardhana
 Potdukhe, Shri Shantaram
 Prasan Kumar, Shri S. N.
 Pullaiah, Shri Darur
 Quadri, Shri S. T.
 Rahim, Shri A. A.
 Raju, Shri P. V. G.
 Ram, Shri Ramswaroop
 Ramalingam, Shri N. Kudanthai
 Ramamurthy, Shri K.
 Ran Vir Singh, Shri
 Rane, Shrimati Sanyogita
 Ranga, Prof. N. G.
 Ranjit Singh, Shri
 Rao, Shrimati B. Radhabai Ananda
 Rao, Shri Jagannath
 Rao, Shri M. Nageswara
 Rao, Shri M. S. Sanjeevi
 Rao, Shri M. Satyanarayan
 Rao, Shri P. V. Narasimha
 Rathod, Shri Uttam
 Raut, Shri Bhola
 Reddi, Shri G. S.
 Reddy, Shri K. Brahmananda
 Reddy, Shri K. Obul
 Reddy, Shri M. Ram Gopal
 Reddy, Shri P. Venkata
 Saminuddin, Shri
 Sangma, Shri P. A.
 Sathiyendran, Shri M. S. K.
 Satish Prasad Singh, Shri
 Satya Deo Singh, Prof.
 Sawant, Shri T. M.
 Sebastian, Shri S. A. Dorai
 Selvaraju, Shri N.
 Sen, Shri A. K.
 Sethi, Shri Arjun
 Shailani, Shri Chandra Pal
 Shaktawat, Prof. Nirmala Kumari
 Shakyawar, Shri Nathuram
 Shankaranand, Shri B.
 Shanmugam, Shri P.

Sharma, Shri Kali Charan
 Sharma, Shri Nand Kishore
 Sharma, Shri Nawal Kishore
 Sharma, Shri Pratap Bhanu
 Shastri, Shri Dharam Dass
 Shingda, Shri D. B.
 Shiv Shankar, Shri P.
 Shivendra Bahadur Singh, Shri
 Sidnal, Shri S. B.
 Singh, Dr. B. N.
 Singh Deo, Shri K. P.
 Sinha, Shrimati Ramdulari
 Soren, Shri Hari Har
 Soundararajan, Shri N.
 Sparrow, Shri R. S.
 Sreenivasa Prasad, Shri V.
 Stephen, Shri C. M.
 Sultanpuri, Shri Krishan Dutt
 Sunder Singh, Shri
 Swami, Shri K. A.
 Tariq Anwar, Shri
 Tayyab Hussain, Shri
 Thakur, Shri Shivkumar Singh
 Thorat, Shri Bhausahab
 Tiwari, Shri Narayan Datt
 Tripathi, Shri R. N.
 Tytler, Shri Jagdish
 Vairale, Shri Madhusudan
 Varma, Shri Jai Ram
 Venkataraman, Shri R.
 Venkatasubbaiah, Shri P.
 Verma, Shrimati Usha
 Vijayaraghavan, Shri V. S.
 Virbhadra Singh, Shri
 Vyas, Shri Girdhari Lal
 Wagh, Dr. Pratap
 Wasnik, Shri Balkrishna Ramchandra
 Yadav, Shri Ram Singh
 Yadav, Shri Subhash Chandra
 Yusuf, Shri Mohamed
 Zail Singh, Shri
 Zainul Basher, Shri

MR. DEPUTY-SPEAKER: Subject to correction, the result* of the division is: Ayes: 69; Noes 216.

The motion was negatived.

MR. DEPUTY-SPEAKER: Now we take up amendments for the consideration motion. May I put all the amendments to the consideration motion together?

SEVERAL HON. MEMBERS: No.

MR. DEPUTY-SPEAKER: The question is:

"That the Bill be circulated for the purpose of eliciting opinion thereon by the 30th November, 1981." (1)

The Lok Sabha divided.

Division No. 7]

18,29 hrs.

AYES

Acharia, Shri Basudeb
 Balan, Shri A. K.
 Balanandan, Shri E.
 Barman, Shri Palas
 Basu, Shri Chitta
 Bhattacharyya, Shri Sushil
 Biswas, Shri Ajoy
 Chatterjee, Shri Somnath
 Chaudhary, Shri Motibhai
 Chaudhuri, Shri Tridib
 Choudhury, Shri Saifuddin
 Das, Shri R. P.
 Ghosh, Shri Niren
 Ghosh Goswami, Shrimati Bibha
 Giri, Shri Sudhir
 Gopalan, Shrimati Suseela
 Gupta, Shri Indrajit
 Halder, Shri Krishna Chandra
 Hannan Mollah, Shri
 Harikesh Bahadur, Shri
 Hasda, Shri Matilal
 Horo, Shri N. E.
 Jatiya, Shri Satanarayan
 Jha, Shri Bhogendra

*The following Members also recorded their votes.

AYES: Shri Ajit Bag;

NOES: Shri Ramayan Rai.

Kodiyan, Shri P. K.
Lawrence, Shri M. M.
Mahata, Shri Chitta
Maitra, Shri Sunil
Mandal, Shri Mukunda
Mandal, Shri Sanat Kumar
Masudal Hossain, Shri Syed
Mhalgi, Shri R. K.
Misra, Shri Satyagopal
Modak, Shri Bijoy
Mohammed Ismail, Shri
Mukherjee, Shrimati Geeta
Mukherjee, Shri Samar
Pal, Prof. Rup Chand
Parulekar, Shri Bapusaheb
Pathak, Shri Ananda
Rai, Shri M. Ramanna
Rajan, Shri K. A.
Rajda, Shri Ratansinh
Riyan, Shri Bajju Ban
Roy, Shri A. K.
Roy, Dr. Saradish
Roy Pradhan, Shri Amar
Saha, Shri Gadadhar
Sen, Shri Subodh
Shakya, Shri Daya Ram
Shastri, Shri Ramavatar
Shejwalkar, Shri N. K.
Surya Narayan Singh, Shri
Tirkey, Shri Pius
Unnikrishnan, Shri K. P.
Varma, Shri Ravindra
Verma, Shri R. L. P.
Yadav, Shri Vijay Kumar
Zainal Abedin, Shri

NOES

Ahmed, Shri Kamaluddin
Alluri, Shri Subhash Chandra Bose
Amarinder Singh, Shri
Ankineedu Prasad Rao, Shri P.
Anuragi, Shri Godil Prasad
Appalanaidu, Shri S. R. A. S.
Arakal, Shri Xavier
Azad, Shri Bhagwat Jha

Azad, Shri Ghulam Nabi
Baitha, Shri D. L.
Bajpai, Dr. Rajendra Kumari
Baleshwar Ram, Shri
Bansi Lal, Shri
Barot, Shri Maganbhai
Barway, Shri J. C.
Bhagat, Shri H. K. L.
Bhagwan Dev, Acharya
Bhakta, Shri Manoranjan
Bhardwaj, Shri Parasram
Bhatia, Shri R. L.
Bhoi, Dr. Krupasindhu
Bhole, Shri R. R.
Bhoye, Shri Reshma Motiram
Bhuria, Shri Dileep Singh
Brar, Shrimati Gurbinder Kaur
Brijendra Pal Singh, Shri
Chakradhari Singh, Shri
Chandra Shekhar Singh, Shri
Chandrashekarappa, Shri T. V.
Chaturvedi, Shrimati Vidyawati
Chaudhary, Shri Manphool Singh
Chennupati, Shrimati Vidya
Chingwang Konyak, Shri
Choudhury, Shri A. B. A. Ghani Khan
Daga, Shri Mool Chand
Das, Shri A. C.
Dennis, Shri N.
Dev, Shri Sontosh Mohan
Dhandapani, Shri C. T.
Era Anbarasu, Shri
Era Mohan, Shri
Faleiro, Shri Eduardo
Gadgil, Shri V. N.
Gadhavi, Shri Bheravadan K.
Gaekwad, Shri R. P.
Gaikwad, Shri Udaysingrao
Gamit, Shri Chhitubhai
Gandhi, Shri Rajiv
Gehlot, Shri Ashok
Ghufran Azam, Shri
Gireraj Singh, Shri
Gomango, Shri Giridhar

Gowda, Shri D. M. Putte
 Gulsher Ahmed, Shri
 Hembrom, Shri Seth
 Jadeja, Shri Daulatsinhji
 Jain, Shri Bhiku Ram
 Jain, Shri Nihal Singh
 Jain, Shri Virdhji Chander
 Jamilur Rahman, Shri
 Jena, Shri Chintamani
 Jha, Shri Kamal Nath
 Kamal Nath, Shri
 Kamla Kumari, Kumari
 Karma, Shri Laxman
 Kaushal, Shri Jagan Nath
 Khan, Shri Zulfiquar Ali
 Kidwai, Shrimati Mohsina
 Kosalram, Shri K. T.
 Krishna, Shri S. M.
 Krishna Pratap Singh, Shri
 Kuchan, Shri Gangadhar S.
 Kunwar Ram, Shri
 Kusuma Krishna Murthy, Shri
 Lakkappa, Shri K.
 Laskar, Shri Nihar Ranjan
 Madhuri Singh, Shrimati
 Mahajan, Shri Vikram
 Mahendra Prasad, Shri
 Makwana, Shri Narsinh
 Mallanna, Shri K.
 Mallick, Shri Lakshman
 Mallikarjun, Shri
 Meena, Shri Ram Kumar
 Mishra, Shri Gargi Shankar
 Mishra, Shri Ram Nagina
 Mishra, Shri Uma Kant
 Misra, Shri Harinatha
 Misra, Shri Nityananda
 Mohanty, Shri Brjamohan
 Mohite, Shri Yashwantrao
 More, Shri Ramkrishna
 Murthy, Shri M. V. Chandrashekhara
 Murugian, Shri S.
 Muthu Kumaran, Shri R.
 Muzaffar Hussain, Shri Syed

Nagina Rai, Shri
 Naikar, Shri D. K.
 Nar, Shri B. K.
 Namgyal, Shri P.
 Nandi Yellaiah, Shri
 Narayana, Shri K. S.
 Nehru, Shri Arun Kumar
 Netam, Shri Arvind
 Nikhra, Shri Rameshwar
 Oraon, Shri Kartik
 Pandey, Shri Krishna Chandra
 Panigrahi, Shri Chintamani
 Parashar, Prof. Narain Chand
 Pardhi, Shri Keshao Rao
 Parmar, Shri Hiralal R.
 Parthasarathy, Shri P.
 Patel, Shri Amrit
 Patel, Shri Mohanbhai
 Patel, Shri Shantubhai
 Patel, Shri Uttambhai H.
 Patil, Shri A. T.
 Patil, Shri Balasaheb Vikhe
 Patil, Shri Chandrabhan Athare
 Patil, Shri Shivraj V.
 Patil, Shri Uttamrao
 Patil, Shri Vasantao
 Patil, Shri Veerendra
 Patil, Shri Vijay N.
 Patnaik, Shrimati Jayanti
 Pattabhi Rama Rao, Shri S. B. P.
 Pilot, Shri Rajesh
 Poojary, Shri Janardhana
 Potdukhe, Shri Shantaram
 Prasan Kumar, Shri S. N.
 Pullalah, Shri Darur
 Quadri, Shri S. T.
 Rahim, Shri A. A.
 Raju, Shri P. V. G.
 Ram, Shri Ramswaroop
 Ramalingam, Shri N. Kudanthai
 Ramamurthy, Shri K.
 Ran Vir Singh, Shri
 Rane, Shrimati Sanyogita
 Ranga, Prof. N. G.

Ranjit Singh, Shri
 Rao, Shrimati B. Radhabai Ananda
 Rao, Shri Jagannath
 Rao, Shri M. S. Sanjeevi
 Rao, Shri M. Satyanarayan
 Rao, Shri P. V. Narasimha
 Rathod, Shri Uttam
 Raut, Shri Bhola
 Reddi, Shri G. S.
 Reddy, Shri K. Obul
 Reddy, Shri M. Ram Gopal
 Reddy, Shri P. Venkata
 Saminuddin, Shri
 Sangma, Shri P. A.
 Sathiyendran, Shri M. S. K.
 Satish Prasad Singh, Shri
 Satya Deo Singh, Prof.
 Sawant, Shri T. M.
 Sebastian, Shri S. A. Dorai
 Selvaraju, Shri N.
 Sen, Shri A. K.
 Sethi, Shri Arjun
 Shailani, Shri Chandra Pal
 Shaktawat, Prof. Nirmala Kumari
 Shakyawar, Shri Nathuram
 Shankaranand, Shri B.
 Shanmugam, Shri P.
 Sharma, Shri Chiranji Lal
 Sharma, Shri Kāli Charan
 Sharma, Shri Nand Kishore
 Sharma, Shri Nawal Kishore
 Sharma, Shri Pratap Bhanu
 Shastri, Shri Dharam Datt
 Shingda, Shri D. B.
 Shiv Shankar, Shri P.
 Shivendra Bahadar Singh, Shri
 Sidnal, Shri S. B.
 Singh, Dr. B. N.

Singh Deo, Shri K. P.
 Sinha, Shrimati Ramdulari
 Soren, Shri Hari Har
 Soundararajan, Shri N.
 Sparrow, Shri R. S.
 Sreenivasa Prasad, Shri V.
 Stephen, Shri C. M.
 Sultanpuri, Shri Krishan Dutt
 Sunder Singh, Shri
 Swami, Shri K. A.
 Tariq Anwar, Shri
 Tayyab Hussain, Shri
 Thakur, Shri Shivkumar Singh
 Thorat, Shri Bhausahab
 Tiwari, Shri Narayan Datt
 Tripathi, Shri R. N.
 Tytler, Shri Jagdish
 Vairale, Shri Madhusudan
 Varma, Shri Jai Ram
 Venkataraman, Shri R.
 Venkatasubbaiah, Shri P.
 Verma, Shrimati Usha
 Vijayaraghavan, Shri V. S.
 Virbhadra Singh, Shri
 Vyas, Shri Girdhari Lal
 Wagh, Dr. Pratap
 Wasnik, Shri Balkrishna Ramchandra
 Yadav, Shri Ram Singh
 Yadav, Shri Subhash Chandra
 Yusuf, Shri Mohmed
 Zail Singh, Shri
 Zainul Bagher, Shri

MR. DEPUTY-SPEAKER: Subject to correction, the result* of the division is: Ayes 59; Noes 270.

The motion was negatived.

*The following Members also recorded their votes:

AYES: Sarvashri Nathu Ram Mirdha, Suraj Bhan, Chaturbhuj, T. K. Inbichibava, Satyasadhan Chakraborty and Ajit Beg;

NOES: Sarvashri M. Nageswara Rao, Dalbir Singh, Keyur Bhushan, Ramayan Rai, Anantharamulu Mallu and A. Senapathi Gounder,

MR. DEPUTY SPEAKER: I shall put Amendment No. 2 to the Motion for Consideration moved by Shri Ram-avtar Shastri to the vote of the House.

The question is:

"That the Bill be circulated for the purpose of eliciting opinion thereon by the 22nd December, 1981". (2)

The Lok Sabha divided:

AYES

18.35 hrs.

Division No. 8]

Acharia, Shri Basudeb
 Balan, Shri A. K.
 Balanandan, Shri E.
 Barman, Shri Palas
 Basu, Shri Chitta
 Bhattacharyya, Shri Sushil
 Biswas, Shri Ajoy
 Chakraborty, Shri Satyasadhan
 Chatterjee, Shri Somnath
 Chaturbhuj, Shri
 Chaudhuri, Shri Tridib
 Choudhury, Shri Saifuddin
 Das, Shri R. P.
 Ghosh, Shri Niren
 Ghosh Goswami, Shrimati Bibha
 Giri, Shri Sudhir
 Gopalan, Shrimati Suseela
 Gupta, Shri Indrajit
 Halder, Shri Krishna Chandra
 Hannan Mollah, Shri
 Hasda, Shri Matilal
 Horo, Shri N. E.
 Imbichibava, Shri E. K.
 Jatiya, Shri Satyanarayan
 Jha, Shri Bhogendra
 Kodliyan, Shri P. K.
 Lawrence, Shri M. M.
 Madhukar, Shri Kamla Mishra
 Mahata, Shri Chitta
 Maitra, Shri Sunil
 Mandal, Shri Mukunda

Mandal, Shri Sanat Kumar
 Masudal Hossain, Shri Syed
 Mhalgi, Shri R. K.
 Misra, Shri Satyagopal
 Modak, Shri Bijoy
 Mohammed Ismail, Shri
 Mukherjee, Shrimati Geeta
 Mukherjee, Shri Samar
 Pal, Prof. Rup Chand
 Pathak, Shri Ananda
 Rai, Shri M. Ramanna
 Rajan, Shri K. A.
 Riyan, Shri Baju Ban
 Roy, Dr. Saradish
 Roy Pradhan, Shri Amar
 Saha, Shri Gadadhar
 Sen, Shri Subodh
 Shakya, Shri Daya Ram
 Shastri, Shri Ramavatar
 Shejwalkar, Shri N. K.
 Suraj Bhan, Shri
 Surya Narayan Singh, Shri
 Tirkey, Shri Pius
 Unnikrishnan, Shri K. P.
 Varma, Shri Ravindra
 Verma, Shri R. L. P.
 Yadav, Shri Vijay Kumar
 Zainal Abedin, Shri

NOES

Ahmed, Shri Kamaluddin
 Alluri, Shri Subbash Chandra Bose
 Amarinder Singh, Shri
 Ankineedu Prasad Rao, Shri P.
 Anuragi, Shri Godil Prasad
 Appalanaidu, Shri S. R. A. S.
 Arakal, Shri Xavier
 Azad, Shri Bhagwat Jha
 Azad, Shri Ghulam Nabi
 Baitha, Shri D. L.
 Bajpai, Dr. Rajendra Kumari
 Baleshwar Ram, Shri
 Bansi Lal, Shri
 Barot, Shri Maganbhai
 Barway, Shri J. C.

Behera, Shri Rasabehari
 Bhagat, Shri H. K. L.
 Bhagwan Dev, Acharya
 Bhakta, Shri Manoranjan
 Bhardwaj, Shri Parasram
 Bhatia, Shri R. L.
 Bhoi, Dr. Krupasindhu
 Bhole, Shri R. R.
 Bhoys, Shri Reshma Motiram
 Bhuria, Shri Dileep Singh
 Brar, Shrimati Gurbrinder Kaur
 Brijendra Pal Singh, Shri
 Buta Singh, Shri
 Chakradhari Singh, Shri
 Chandra Shekhar Singh, Shri
 Chandrashekharappa, Shri T. V.
 Chaturvedi, Shrimati Vidyawati
 Chaudhary, Shri Manphool Singh
 Chennupati, Shrimati Vidya
 Chingwang Konyak, Shri
 Choudhury, Shri A. B. A. Ghani Khan
 Daga, Shri Mool Chand
 Dalbir Singh, Shri
 Das, Shri A. C.
 Dennis, Shri N.
 Dev, Shri Sontosh Mohan
 Dhandapani, Shri C. T.
 Era Anbarasu, Shri
 Era Mohan, Shri
 Fernandes, Shri Oscar
 Gadgil, Shri V. N.
 Gadhavi, Shri Bheravadan K.
 Gaekwad, Shri R. P.
 Gamit, Shri Chhitubhai
 Gandhi, Shri Rajiv
 Gehlot, Shri Ashok
 Ghufan Azam, Shri
 Gireraj Singh, Shri
 Gomango, Shri Giridhar
 Gounder, Shri A. Senapathi
 Gowda, Shri D. M. Putte
 Gulsher Ahmed, Shri
 Hembrom, Shri Seth
 Jadeja, Shri Daulatsinhji

Jaffer Sharief, Shri C. K.
 Jain, Shri Bhiku Ram
 Jain, Shri Nihal Singh
 Jain, Shri Viridhi Chander
 Jamilur Rahman, Shri
 Jena, Shri Chintamani
 Jha, Shri Kamal Nath
 Kamal Nath, Shri
 Kamla Kumari, Kumari
 Karma, Shri Laxman
 Kaushal, Shri Jagan Nath
 Keyur Bhusan, Shri
 Khan, Shri Zulfiquar Ali
 Kidwai, Shrimati Mohsina
 Kosalram, Shri K. T.
 Krishna, Shri S. M.
 Krishna Pratap Singh, Shri
 Kuchan, Shri Gangadhar S.
 Kanwar Ram, Shri
 Kusuma Krishna Murthy, Shri
 Lakkappa, Shri K.
 Laskar, Shri Nihar Ranjan
 Madhuri Singh, Shrimati
 Mahajan, Shri Vikram
 Mahendra Prasad, Shri
 Makwana, Shri Narsinh
 Mallanna, Shri K.
 Mallick, Shri Lakshman
 Mallikarjun, Shri
 Mallu, Shri Anantha Ramulu
 Meena, Shri Ram Kumar
 Mishra, Shri Gargi Shankar
 Mishra, Shri Ram Nagina
 Mishra, Shri Umakant
 Misra, Shri Harinatha
 Misra, Shri Nityananda
 Mohanty, Shri Brajamohan
 Mohite, Shri Yashawantrao
 More, Shri Ramkrishna
 Murthy, Shri M. V. Chandrashekhar
 Murugian, Shri S.
 Muthu Kumaran, Shri R.
 Muzaffar Hussain, Shri Syed
 Nagina Rai, Shri
 Naikar, Shri D. K.

Nair, Shri B. K.
 Namgyal, Shri P.
 Nandi Yellaiah, Shri
 Narayana, Shri K. S.
 Nehru, Shri Arun Kumar
 Netam, Shri Arvind
 Nikhra, Shri Rameshwar
 Oraon, Shri Kartik
 Pandey, Shri Krishna Chandra
 Panigrahi, Shri Chintamani
 Parashar, Prof. Narain Chand
 Pardhi, Shri Kesharao
 Parmar, Shri Hiralal R.
 Parthasarathy, Shri P.
 Patel, Shri Amrit
 Patel, Shri Mohanbhai
 Patel, Shri Shantubhai
 Patel, Shri Uttambhai H.
 Patil, Shri A. T.
 Patil, Shri Balasaheb Vikhe
 Patil, Shri Chandrabhan Athare
 Patil, Shri Shivraj V.
 Patil, Shri Vasantao
 Patil, Shri Veerendra
 Patil, Shri Vijay N.
 Patnaik, Shrimati Jayanti
 Pattabhi Rama Rao, Shri S. B. P.
 Pilot, Shri Rajesh
 Poojary, Shri Janardhana
 Potdukhe, Shri Shantaram
 Prasan Kumar, Shri S. N.
 Pullaiah, Shri Darur
 Quadri, Shri S. T.
 Rahim, Shri A. A.
 Raju, Shri P. V. G.
 Ram, Shri Ramswaroop
 Ramalingam, Shri N. Kudanthai
 Ramamurthy, Shri K.
 Ran Vir Singh, Shri
 Rane, Shrimati Sanyogita
 Ranga, Prof. N. G.
 Ranjit Singh, Shri
 Rao, Shrimati B. Radhabal Ananda
 Rao, Shri Jagannath

Rao, Shri M. Nageswara
 Rao, Shri M. S. Sanjeevi
 Rao, Shri M. Satyanarayan
 Rao, Shri P. V. Narasimha
 Rathod, Shri Uttam
 Raut, Shri Bhola
 Reddi, Shri G. S.
 Reddy, Shri K. Obul
 Reddy, Shri M. Ram Gopal
 Reddy, Shri P. Venkata
 Sangma, Shri P. A.
 Sathiyendran, Shri M. S. K.
 Satish Prasad Singh, Shri
 Satya Deo Singh, Prof.
 Sawant, Shri T. M.
 Sebastian, Shri S. A. Dorai
 Selvaraju, Shri N.
 Sen, Shri A. K.
 Sethi, Shri Arjun
 Sethi, Shri P. C.
 Shailani, Shri Chandra Pal
 Shaktawat, Prof. Nirmala Kumari
 Shakyawar, Shri Nathuram
 Shankaranand, Shri B.
 Shanmugam, Shri P.
 Sharma, Shri Chiranjil Lal
 Sharma, Shri Kali Charan
 Sharma, Shri Nand Kishore
 Sharma, Shri Nawal Kishore
 Sharma, Shri Pratap Bhanu
 Shastri, Shri Dharam Dass
 Shiv Shankar, Shri P.
 Shivendra Bahadur Singh, Shri
 Sidnal, Shri S. B.
 Singh, Dr. B. N.
 Singh Deo, Shri K. P.
 Sinha, Shrimati Ramdulari
 Soren, Shri Hari Har
 Sparrow, Shri R. S.
 Sreenivasa Prasad, V.
 Stephen, Shri C. M.
 Sultanpuri, Shri Krishan Dutt
 Sunder Singh, Shri
 Swami, Shri K. A.

AYES

18.42 hrs.

Division No. 97]

Tariq Anwar, Shri
Tayyab Hussain, Shri
Thakur, Shri Shivkumar Singh
Thorat, Shri Bhausahab
Tiwari, Shri Narayan Datt
Tripathi, Shri Kamalapati
Tytler, Shri Jagdish
Vairale, Shri Madhusudan
Varma, Shri Jai Ram
Venkataraman, Shri R.
Venkatasubbaiah, Shri P.
Verma, Shrimati Usha
Vijayaraghavan, Shri V. S.
Virbhadr Singh, Shri
Vyas, Shri Girdhar Lal
Wagh, Dr. Pratap
Wasnik, Shri Balkrishna Ramchandra
Yadav, Shri Ram Singh
Yadav, Shri Subhash Chandra
Yusuf, Shri Mohamed
Zail Singh, Shri
Zainul Basher, Shri

Acharia, Shri Basudeb
Balan, Shri A. K.
Balanandan, Shri E.
Barman, Shri Palas
Basu, Shri Chitta
Bhattacharyya, Shri Sushil
Biswas, Shri Ajoy
Chakraborty, Shri Satyasadhan
Chatterjee, Shri Somnath
Chaturbhuj, Shri
Chaudhuri, Shri Tridib
Choudhury, Shri Saifuddin
Dass Shri R. P.
Ghosh, Shri Niren
Ghosh Goswami, Shrimati Bibha
Giri, Shri Sudhir
Gopalan, Shrimati Suseela
Gupta, Shri Indrajit
Halder, Shri Krishna Chandra
Hannan Mollah, Shri
Harikesh Bahadur, Shri
Hasda, Shri Matilal
Horo, Shri N. E.
Imbichibava, Shri E. K.
Jatiya, Shri Satyanarayan
Jha, Shri Bhogendra
Kodiyan, Shri P. K.
Lawrence, Shri M. M.
Madhukar, Shri Kamla Mishra
Mahata, Shri Chitta
Maitra, Shri Sunil
Mandal, Shri Mukunda
Mandal, Shri Sanat Kumar
Masudal Hossain, Shri Syed
Mhalgi, Shri R. K.
Misra, Shri Satyagopal
Modak, Shri Bijoy
Mohammed Ismail, Shri

MR. DEPUTY-SPEAKER: Subject to correction the result* of the division is: Ayes 59; Noes 214.

The motion was negatived.

MR. DEPUTY-SPEAKER: I put Amendment No. 3 to the Consideration motion moved by Shri Basudeb Acharya to vote.

The question is:

'That the Bill be circulated for the purpose of eliciting opinion thereon by the 18th December, 1981.' (3)

The Lok Sabha divided:

*The following Members also recorded their votes:

AYES: Shri A. K. Roy and Shri Ajit Bag;

NOES: Sarvshri Rao Birendra Singh, Ramayan Rai and Udayasingrao Gaikwad.

Mukherjee, Shrimati Geeta
 Mukherjee, Shri Samar
 Pal, Prof. Rup Chand
 Parulekar, Shri Bapusaheb
 Pathak, Shri Ananda
 Rai, Shri M. Ramanna
 Rajan, Shri K. A.
 Rajda, Shri Ratansinh
 Riyan, Shri Bajju Ban
 Roy, Dr. Saradish
 Roy Pradhan, Shri Amar
 Saha, Shri Ajit Kumar
 Saha, Shri Gadadhar
 Sen, Shri Subodh
 Shakya, Shri Daya Ram
 Shastri, Shri Ramavatar
 Shejwalkar, Shri N. K.
 Suraj Bhan, Shri
 Surya Narayan Singh, Shri
 Tirkay, Shri Pius
 Unnikrishnan, Shri K. P.
 Varma, Shri Ravindra
 Verma, Shri R. L. P.
 Yadav, Shri Vijay Kumar
 Zainal Abedin, Shri

NOES

Ahmed, Shri Kamaluddin
 Alluri, Shri Subhash Chandra Bose
 Amarinder Singh, Shri
 Ankineedu Prasad Rao, Shri P.
 Anuragi, Shri Godil Prasad
 Appalanaidu, Shri S. R. A. S.
 Arakal, Shri Xavier
 Azad, Shri Bhagwat Jha
 Azad, Shri Ghulam Nabi
 Baitha, Shri D. L.
 Bajpai, Dr. Rajendra Kumari
 Baleshwar Ram, Shri
 Bansi Lal, Shri
 Barot, Shri Maganbhai
 Barway, Shri J. C.
 Behera, Shri Rasabehari
 Bhagat, Shri H. K. L.

Bhagwan Dev, Acharya
 Bhakta, Shri Manoranjan
 Bhardwaj, Shri Parasram
 Bhatia, Shri R. L.
 Bhoi, Dr. Krupasindhu
 Bhole, Shri R. R.
 Bhoys, Shri Reshma Motiram
 Bhuria, Shri Dileep Singh
 Birender Singh, Rao
 Brar, Shrimati Gurbrinder Kaur
 Brijendra Pal Singh, Shri
 Buta Singh, Shri
 Chakradhari Singh, Shri
 Chandra Shekhar Singh, Shri
 Chandrashekarappa, Shri T. V.
 Chaturvedi, Shrimati Vidyawati
 Chaudhary, Shri Manphool Singh
 Chennupati, Shrimati Vidya
 Chingwang Konyak, Shri
 Choudhury, Shri A. B. A. Ghani Khan
 Daga, Shri Mool Chand
 Dalbir Singh, Shri
 Das, Shri A. C.
 Dennis, Shri N.
 Dev, Shri Sontosh Mohan
 Dhandapani, Shri C. T.
 Era Anbarasu, Shri
 Era Mohan, Shri
 Fernandes, Shri Oscar
 Gadgil, Shri V. N.
 Gadhavi, Shri Bheravadan K.
 Gaekwad, Shri R. P.
 Gaikwad, Shri Udaysingrao
 Gamit, Shri Chhitubhai
 Gandhi, Shri Rajiv
 Gehlot, Shri Ashok
 Ghufan Azam, Shri
 Gireraaj Singh, Shri
 Gomango, Shri Giridhar
 Gounder, Shri A. Senapathi
 Gowda, Shri D. M. Putte
 Gulsher Ahmed, Shri

Hembrom, Shri Seth	Muzaffar Hussain, Shri Syed
Jadeja, Shri Daulatsinhji	Nagina Rai, Shri
Jaffer Sharief, Shri C. K.	Naikar, Shri D. K.
Jain, Shri Bhiku Ram	Nair, Shri B. K.
Jain, Shri Nihal Singh.	Namgyal, Shri P.
Jain, Shri Virdhi Chander	Nandi Yellaiah, Shri
Jamilur Rahman, Shri	Narayan, Shri K. S.
Jena, Shri Chintamani	Nehru, Shri Arun Kumar
Jha, Shri Kamal Nath	Netam, Shri Arvind
Kamal Nath, Shri	Nikhra, Shri Rameshwar
Kamla Kumari, Kumari	Oraon, Shri Kartik
Karma, Shri Laxman	Pandey, Shri Krishna Chandra
Kaushal, Shri Jagan Nath	Panigrahi, Shri Chintamani
Keyur Bhusan, Shri	Parashar, Prof. Narain Chand
Khan, Shri Zulfiquar Ali	Pardhi, Shri Kesharao
Kidwai, Shrimati Mohsina	Parthasarathy, Shri P.
Kosalram, Shri K. T.	Patel, Shri Amrit
Krishna, Shri S. M.	Patel, Shri Mohanbhai
Krishna Pratap Singh, Shri	Patel, Shri Shantubhai
Kuchan, Shri Gangadhar S.	Patel, Shri Uttambhai H.
Kanwar Ram, Shri	Patil, Shri A. T.
Kusuma Krishna Murthy, Shri	Patil, Shri Balasaheb Vikhe
Lakkappa, Shri K.	Patil, Shri Chandrabhan Athare
Laskar, Shri Nihar Ranjan	Patil, Shri Shivraj V.
Madhuri Singh, Shrimati	Patil, Shri Vasantrao
Mahabir Prasad, Shri	Patil, Shri Veerendra
Mahajan, Shri Vikram	Patil, Shri Vijay N.
Makwana, Shri Narsinh	Patnaik, Shrimati Jayanti
Mallanna, Shri K.	Pattabhi Rama Rao, Shri S. B. P.
Mallick, Shri Lakshman	Pilot, Shri Rajesh
Mallikarjun, Shri	Poojary, Shri Janardhana
Mallu, Shri Anantha Ramulu	Prasan Kumar, Shri S. N.
Mishra, Shri Gargi Shankar	Pullaiah, Shri Darur
Mishra, Shri Ram Nagina	Quadri, Shri S. T.
Mishra, Shri Umakant	Rahim, Shri A. A.
Misra, Shri Harinatha	Raju, Shri P. V. G.
Misra, Shri Nityananda	Ram, Shri Ramswaroop
Mohanty, Shri Brajamohan	Ramalingam, Shri N. Kudanthai
Mohite, Shri Yeshawantrao	Ramamurthy, Shri K.
More, Shri Ramkrishna	Ran Vir Singh, Shri
Murthy, Shri M. V. Chandrashekhar	
Murugian, Shri S.	
Muthu Kumaran, Shri R.	

Rane, Shrimati Sanyogita
Ranga, Prof. N. G.
Ranjit Singh, Shri
Rao, Shrimati B. Radhabai Ananda
Rao, Shri Jagannath
Rao, Shri M. Nageswara
Rao, Shri M. S. Sanjeevi
Rao, Shri M. Satyanarayan
Rao, Shri P. V. Narasimha
Rathod, Shri Uttam
Raut, Shri Bhola
Reddi, Shri G. S.
Reddy, Shri K. Obul
Reddy, Shri M. Ram Gopal
Reddy, Shri P. Venkata
Saminuddin, Shri
Sangma, Shri P. A.
Sathiyendran, Shri M. S. K.
Satish Prasad Singh, Shri
Satya Deo Singh, Prof.
Sawant, Shri T. M.
Sebastian, Shri S. A. Dorai
Selvaraju, Shri N.
Sen, Shri A. K.
Sethi, Shri Arjun
Sethi, Shri P. C.
Shailani, Shri Chandra Pal
Shaktawat, Prof. Nirmala Kumari
Shakyawar, Shri Nathuram
Shankaranand, Shri B.
Shanmugam, Shri P.
Sharma, Shri Chiranjil Lal
Sharma, Shri Kali Charan
Sharma, Shri Nand Kishore
Sharma, Shri Nawal Kishore
Sharma, Shri Pratap Bhanu
Shastari, Shri Dharam Dass
Shiv Shankar, Shri P.
Shivendra Bahadur Singh, Shri
Sidnal, Shri S. B.
Singh Dr. B. N.

Singh Deo, Shri K. P.
Sinha, Shrimati Ramdulari
Soren, Shri Hari Har
Sparrow, Shri R. S.
Sreenivasa Prasad, Shri V.
Stephen, Shri C. M.
Sultanpuri, Shri Krishna Dutt
Sunder Singh, Shri
Swami, Shri K. A.
Tariq Anwar, Shri
Tayyab Hussain, Shri
Thakur, Shri Shivkumar Singh
Thorat, Shri Bhausaheb
Tiwari, Shri Narayan Datt
Tripathi, Shri R. N.
Tytler, Shri Jagdish
Valrale, Shri Madhusudan
Varma, Shri Jai Ram
Venkataraman, Shri R.
Venkatasubbaiab, Shri P.
Verma, Shrimati Usha
Vijayaraghavan, Shri V. S.
Virbhadra Singh, Shri
Vyas, Shri Girdhari Lal
Wagh, Dr. Pratap
Wasnik, Shri Balkrishna Ramchandra
Yadav, Shri Ram Singh
Yadav, Shri Subhash Chandra
Yusuf, Shri Mohmed
Zail Singh, Shri
Zainul Basher, Shri

MR. DEPUTY-SPEAKER: Subject to correction, the result of the division is: AYES..... 63; NOES.....214.

The motion was negatived.

MR. DEPUTY-SPEAKER: Now, I put Amendment No. 4 to the Consideration Motion moved by Shri Somnath Chatterjee to vote.

The question is:

" That the Bill be circulated for the purpose of eliciting opinion thereon by the 31st December, 1981." (4)

The Lok Sabha divided:

†The following Members also recorded their votes:

AYES: Shri A. K. Roy and Shri Ajit Bagt

NOES: Shri Ramayan Rai and Shri Ram Kumar Meena.

Division No. 10

AYES

18.44 hrs.

Balan, Shri A. K.
Balanandan, Shri E.
Barman, Shri Palas
Basu, Shri Chitta
Bhattacharyya, Shri Sushil
Biswas, Shri Ajoy
Chakraborty, Shri Satyasadhan
Chatterjee, Shri Somnath
Chaturabhuj, Shri
Chaudhuri, Shri Tridib
Choudhury, Shri Saifuddin
Das, Shri R. P.
Ghosh, Shri Niren
Ghosh Goswami, Shrimati Bibha
Giri, Shri Sudhir
Gopalan, Shrimati Suseela
Gupta, Shri Indrajit
Halder, Shri Krishna Chandra
Hannan Mollah, Shri
Harikesh Bahadur, Shri
Hasda, Shri Matilal
Horo, Shri N. E.
Imbichibava, Shri E. K.
Jatiya, Shri Satyanarayan
Jha, Shri Bhogendra
Kodiyani, Shri P. K.
Lawrence, Shri M. M.
Madhukar, Shri Kamla Mishra
Mahata, Shri Chitta
Maitra, Shri Sunil
Mandal, Shri Sanat Kumar
Masuda, Shri Hossain, Shri Syed
Mhalgi, Shri R. K.
Misra, Shri Satyagopal
Modak, Shri Bijoy
Mohammed Ismail, Shri
Mukherjee, Shrimati Geeta
Mukherjee, Shri Samar
Pal, Prof. Rup Chand
Parulekar, Shri Bapusaheb

Pathak, Shri Ananda
Rai, Shri M. Ramanna
Rajan, Shri K. A.
Rajda, Shri Ratansinh
Riyan, Shri Baju Ban
Roy, Dr. Saradish
Roy Pradhan, Shri Amar
Saha, Shri Ajit Kumar
Saha, Shri Gadadhar
Sen, Shri Subodh
Shakya, Shri Daya Ram
Shastri, Shri Ramavater
Suraj Bhan, Shri
Surya Narayan Singh, Shri
Tirkey, Shri Plu
Unnikrishnan, Shri K. P.
Varma, Shri Ravindra
Verma, Shri R. L. P.
Yadav, Shri Vijay Kumar
Zainal Abedin, Shri

NOES

Ahmed, Shri Kamaluddin
Amarinder Singh, Shri
Anuragi, Shri Godil Prasad
Appalanaidu, Shri S. R. A. S.
Arakal, Shri Xavier
Azad, Shri Bhagwat Jha
Azad, Shri Ghulam Nabi
Baitha, Shri D. L.
Bajpai, Dr. Rajendra Kumari
Baleshwar Ram, Shri
Bansi Lal, Shri
Barot, Shri Maganbhai
Barway, Shri J. C.
Behera, Shri Rasabehari
Bhagat, Shri H. K. L.
Bhagwan Dev, Acharya
Bhardwaj, Shri Parasram
Bhatia, Shri R. L.
Bhoi, Dr. Krupasindhu
Bhole, Shri R. R.
Bhoje, Shri Reshma Motiram
Bhuria, Shri Dileep Singh

Birender Singh, Rao
 Brar, Shrimati Gurbrinder Kaur
 Brijendra Pal Singh, Shri
 Buta Singh, Shri
 Chakradhari Singh, Shri
 Chandra Shekhar Singh, Shri
 Chandrashekharaappa, Shri T. V.
 Chaturvedi, Shrimati Vidyawati
 Chennupati, Shrimati Vidya
 Chingwang Konyak, Shri
 Choudhry, Shri A. B. A. Ghani Khan
 Dalbir Singh, Shri
 Das, Shri A. C.
 Dennis, Shri N.
 Dev, Shri Sontosh Mohan
 Dhandapani, Shri C. T.
 Era Anbarasu, Shri
 Era Mohan, Shri
 Fernandes, Shri Oscar
 Gadgil, Shri V. N.
 Gaekwad, Shri R. P.
 Gaikwad, Shri Udaysingrao
 Gamit, Shri Chhitubhai
 Gandhi, Shri Rajiv
 Gehlot, Shri Ashok
 Ghufraan Azam, Shri
 Gireraaj Singh, Shri
 Gounder, Shri A. Senapathi
 Jadeja, Shri Daulatsinhji
 Jaffer Sharief, Shri C. K.
 Jain, Shri Bhiku Ram
 Jain, Shri Nihal Singh
 Jain, Shri Virahi Chander
 Jamilur Rahman, Shri
 Jena, Shri Chintamani
 Jha, Shri Kamal Nath
 Kamal Nath, Shri
 Kamla Kumari, Kumari
 Karma, Shri Laxman
 Kaushal, Shri Jagan Nath
 Keyur Bhusan, Shri
 Khan, Shri Zulfiqar Ali
 Kidwai, Shrimati Mohsin
 Kosalram, Shri K. T.

Krishna, Shri S. M.
 Krishna Pratap Singh, Shri
 Kuchan, Shri Gangadhar S.
 Kusuma Krishna Murthy, Shri
 Lakkappa, Shri K.
 Laskar, Shri Nihar Ranjan
 Madhuri Singh, Shrimati
 Mahajan, Shri Vikram
 Mahendra Prasad, Shri
 Makwana, Shri Narsing
 Mallanna, Shri K.
 Mallick, Shri Lakshman
 Mallikarjun, Shri
 Mallu, Shri Anantha Ramulu
 Meena, Shri Ram Kumar
 Mishra, Shri Gargi Shankar
 Mishra, Shri Ram Nagina
 Mishra, Shri Umakant
 Misra, Shri Harintha
 Misra, Shri Nityananda
 Mohanty, Shri Brajamohon
 Mohite, Shri Yashwantrao
 More, Shri Ramkrishna
 Murthy, Shri M. V. Chandrashekhara
 Murugain, Shri S.
 Muthu Kumaran, Shri R.
 Muzaffar Hussain, Shri Syed
 Nagina Rai, Shri
 Naikar, Shri D. K.
 Nair, Shri B. K.
 Namgyal, Shri P.
 Nandi Yellaiah, Shri
 Narayana, Shri K. S.
 Nehru, Shri Arun Kumar
 Netam, Shri Arvind
 Nikhra, Shri Rameshwar
 Oraon, Shri Kartik
 Pandey, Shri Krishna Chandra
 Panigrahi, Shri Chintamani
 Pradhi, Shri Keshao Rao
 Parmar, Shri Hiralal R.
 Parthasarathy, Shri P.
 Patel, Shri Amrit
 Patel, Shri Mohanbhai

Patel, Shri Shantubhai
Patel, Shri Uttambhai H.
Patil, Shri A. T.
Patil, Shri Balasaheb Vikhe
Patil, Shri Chandrabhan Athare
Patil, Shri Shivraj V.
Patil, Shri Vasantrao
Patil, Shri Veerendra
Patil, Shri Vijay N.
Patnaik, Shrimati Jayanti
Pattabhi Rama Rao, Shri S. B. P.
Pilot, Shri Rajesh
Poojary, Shri Janardhana
Pullaiah, Shri Darur
Quadri, Shri S. T.
Rahim, Shri A. A.
Raju, Shri P. V. G.
Ram, Shri Ramswaroop
Ramalingam, Shri N. Kudanthai
Ramamurthy, Shri K.
Ran Vir Singh, Shri
Rane, Shrimati Sanyogita
Ranga, Prof. N. G.
Ranjit Singh, Shri
Rao, Shrimati B. Radhabhai Ananda
Rao, Shri Jagannath
Rao, Shri M. Nageswara
Rao, Shri M. S. Sanjeevi
Rao, Shri M. Satyanarayan
Rao, Shri P. V. Narasimha
Rathod, Shri Uttam
Raut, Shri Bhola
Reddi, Shri G. S.
Reddy, Shri K. Obul
Reddy, Shri M. Ram Gopal
Reddy, Shri P. Venkata
Sangma, Shri P. A.
Sathiyendran, Shri M. S. K.
Satish Prasad Singh, Shri
Sawant, Shri T. M.
Sebastian, Shri S. A. Dorai
Selvaraju, Shri N.
Sen, Shri A. K.
Sethi, Shri Arjun
Sethi, Shri P. C.

Shailani, Shri Chandra Pal
Shaktawat, Prof. Nirmala Kumari
Shakyawar, Shri Nathuram
Shankaranand, Shri B.
Shanmugam, Shri P.
Sharma, Shri Chiranji Lal
Sharma, Shri Kali Charan
Sharma, Shri Nand Kishore
Sharma, Shri Nawaj Kishore
Shrama, Shri Pratap Bhanu
Shiv Shankar, Shri P
Shivendra Bahadur Singh, Shri
Sidnal, Shri S. B.
Singh, Dr. B. N.
Singh Deo, Shri K. P.
Sinha, Shrimati Ramdulari
Soren, Shri Hari Har
Sparrow, Shri R. S.
Stephen, Shri C. M.
Sultanpuri, Shri Krishan Dutt
Sunder Singh, Shri
Swami, Shri K. A.
Tariq Anwar, Shri
Tayyab Hussain, Shri
Thakur, Shri Shivkumar Singh
Thorat, Shri Bhausahab
Tiwari, Shri Narayan Datt
Tripathi, Shri R. N.
Tytler, Shri Jagdish
Vairale, Shri Madhusudan
Varma, Shri Jai Ram
Venkataraman, Shri R.
Venkatasubbaiah, Shri P.
Verma, Shrimati Usha
Vijayaraghavan, Shri V. S.
Virbhadr Singh, Shri
Vyas, Shri Girdhari Lal
Wagh, Dr. Pratap
Wasnik, Shri Balkrishna Ramchandra
Yadav, Shri Ram Singh
Yadav, Shri Subbash Chandra
Yusuf, Shri Mohamed
Zai Singh, Shri
Zainul Basher, Shri

MR. DEPUTY SPEAKER: Subject to correction, the result* of the Division is: Ayes 60, Noes: 199. The amendment is negatived.

The motion was negatived.

MR. DEPUTY SPEAKER: I shall now put the amendment moved by Shri Ravindra Varma to the vote of the House. The question is:

"That the Bill be circulated for the purpose of eliciting opinion thereon by the 9th December, 1981". (282)

The Lok Sabha divided:

Division No. 11]

18.47 hrs.

AYES

Acharia, Shri Basudeb
Balan, Shri A. K.
Balanandan, Shri E.
Barman, Shri Palas
Basu, Shri Chitta
Bhattacharyya, Shri Sushil
Biswas, Shri Ajoy
Chakraborty, Shri Satyasadhan
Chatterjee, Shri Somnath
Chaturbhuji, Shri
Chaudhuri, Shri Tridib
Choudhury, Shri Salfuddin
Das, Shri R. P.
Ghosh, Shri Niren
Ghosh Goswami, Shrimati Bibha
Giri, Shri Sudhir
Gopalan, Shrimati Suseela
Gupta, Shri Indrajit
Halder, Shri Krishna Chandra
Hannan Mollah, Shri
Harikesh Bahadur, Shri
Hasda, Shri Matilal

Horo, Shri N. E.
Imbichibava, Shri R. K.
Jatiya, Shri Satyanarayan
Jha, Shri Bhogendra
Kodiyar, Shri P. K.
Lawrence, Shri M. M.
Madhukar, Shri Kamla Mishra
Mahata, Shri Chitta
Maitra, Shri Sunil
Mandal, Shri Mukunda
Mandal, Shri Sanat Kumar
Masudal Hossain, Shri Syed
Mhalgi, Shri R. K.
Misra, Shri Satyagopal
Modak, Shri Bijoy
Mohammed Ismail, Shri
Mukherjee, Shrimati Geeta
Mukherjee, Shri Samar
Pal, Prof. Rup Chand
Parulekar, Shri Bapusaheb
Pathak, Shri Ananda
Rai, Shri M. Ramanna
Rajan, Shri K. A.
Riyan, Shri Bajubhan
Roy, Dr. Saradish
Roy Pradhan, Shri Amar
Saha, Shri Ajit Kumar
Saha, Shri Gadadhar
Sen, Shri Subodh
Shakya, Shri Daya Ram
Shastri, Shri Ramavatar
Shejwalkar, Shri N. K.
Suraj Bhan, Shri
Surya Narayan Singh, Shri
Tirkey, Shri Pius
Unnikrishnan, Shri K. P.
Varma, Shri Ravindra
Verma, Shri R. L. P.

*The following Members also recorded their votes:

*AYES: Sarvashri A. K. Roy, Mukunda Mandal, Basudeb Acharia and Ajit Bag;

NOES: Sarvashri Subash Chandra Bose Alluri, Dharam Das Shastri Ramayan Rai, Bheravadan K. Gadhave and Prof. Satya Deo Sinha.

Yadav, Shri Vijay Kumar
Zainal Abedin, Shri

NOES

Ahmed, Shri Kamaluddin
Amarinder Singh, Shri
Ankineedu Prasad Rao, Shri P.
Anuragi, Shri Godil Prasad
Appalanaidu, Shri S. R. A. S.
Arakal, Shri Xavier
Azad, Shri Bhagwat Jha
Azad, Shri Ghulam Nabl
Baitha, Shri D. L.
Bajpai, Dr. Rajendra Kumari
Baleshwar Ram, Shri
Bansi Lal, Shri
Barway, Shri J. C.
Behera, Shri Rasabehari
Bhagat, Shri H. K. L.
Bhagwan Dev, Acharya
Bhakta, Shri Manoranjan
Bhardwaj, Shri Parasram
Bhatia, Shri R. L.
Bhol, Dr. Krupasindhu
Bhole, Shri R. R.
Bhoye, Shri Reshma Motiram
Bhuria, Shri Dileep Singh
Birender Singh, Rao
Brar, Shrimati Gurbrinder Kaur
Brijendra Pal Singh, Shri
Buta Singh, Shri
Chakradhari Singh, Shri
Chandra Shekhar Singh, Shri
Chandrashekharappa, Shri T. V.
Chaturvedi, Shrimati Vidyawati
Chaudhary, Shri Manphool Singh
Chennupati, Shrimati Vidya
Choudhury, Shri A. B. A. Ghani Khan
Daga, Shri Mool Chand
Dalbir Singh, Shri
Das, Shri A. C.
Dennis, Shri N.
Dev, Shri Sontok, Mohan
Dhandapani, Shri C. T.

Era Anbarasu, Shri
Era Mohan, Shri
Fernands, Shri Oscar
Gadgil, Shri V. N.
Gadhavi, Shri Bheravadan K.
Gaekwad, Shri R. P.
Gaikwad, Shri Udaysingrao
Gamit, Shri Chhitubhal
Gandhi, Shri Rajiv
Gehlot, Shri Ashok
Ghufran Azam, Shri
Gireraj Singh, Shri
Gomango, Shri Giridhar
Gounder, Shri A. Senapathi
Gowda, Shri D. M. Putte
Gulsher Ahmed, Shri
Jadeja, Shri Daulatsinhji
Jaffer Sharief, Shri C. K.
Jain, Shri Bhiku Ram
Jain, Shri Nihal Singh
Jain, Shri Viridhi Chander
Jamilur Rahman, Shri
Jena, Shri Chintamani
Jha, Shri Kamal Nath
Kamal Nath, Shri
Kamla Kumari, Kumari
Karma, Shri Laxman
Kaushal, Shri Jagan Nath
Keyur Bhusan, Shri
Khan, Shri Zulfiqar Ali
Kidwai, Shrimati Mohsina
Kosalram, Shri K. T.
Krishna, Shri S. M.
Krishna Pratap Singh, Shri
Kuchan, Shri Gangadhar S.
Kunwar Ram, Shri
Kusuma Krishna Murthy, Shri
Lakkappa, Shri K.
Laskar, Shri Nihar Ranjan
Madhuri Singh, Shrimati
Mahajan, Shri Vikram
Mahendra Prasad, Shri
Makwana, Shri Narsinh
Mallanna, Shri K.

Mallick, Shri Lākshman
 Mallikarjun, Shri
 Mallu, Shri Anantha Ramulu
 Meena, Shri Ram Kumar
 Mishra, Shri Gargi Shankar
 Mishra, Shri Ram Nagina
 Mishra, Shri Uma Kant
 Misra, Shri Harinatha
 Misra, Shri Nityananda
 Mohanty, Shri Brajamohan
 Mohite, Shri Yashawantrao
 More, Shri Ramkrishna
 Murhy, Shri M. V. Chandrashekhara
 Murugian, Shri S.
 Muthu Kumaran, Shri R.
 Muzaffar Hussain, Shri Syed
 Nagina Rai, Shri
 Naikar, Shri D. K.
 Nair, Shri B. K.
 Namgyal, Shri P.
 Nandi Yellaiah, Shri
 Narayana, Shri K. S.
 Nehru, Shri Arun Kumar
 Netam, Shri Arvind
 Nikhra, Shri Rameshwar
 Oraon, Shri Kartik
 Pandey, Shri Krishna Chandra
 Panigrahi, Shri Chintamani
 Pardhi, Shri Kesharao
 Parmar, Shri Hiralal R.
 Parthasarathy, Shri P.
 Patel, Shri Amrit
 Patel, Shri Mohanbhai
 Patel, Shri Shantubhai
 Patel, Shri Uttambhai H.
 Patil, Shri A. T.
 Patil, Shri Balasaheb Vikhe
 Patil, Shri Chandrabhan Athare
 Patil, Shri Shivraj V.
 Patil, Shri Vasantao
 Patil, Shri Veerendra
 Patil, Shri Vijay N.
 Patnaik, Shrimati Jayanti
 Pattabhi Rama Rao Shri S. B. P.

Pilot, Shri Rajesh
 Poojary, Shri Janardhana
 Prasan Kumar, Shri S. N.
 Pullalah, Shri Darur
 Quadri, Shri S. T.
 Rahim, Shri A. A.
 Raju, Shri P. V. G.
 Ram, Shri Ramswaroop
 Ramalingam, Shri N. Kudanthai
 Ramamurthy, Shri K.
 Ran Vir Singh, Shri
 Rane, Shrimati Sanyogita
 Ranga, Prof. N. G.
 Ranjit Singh, Shri
 Rao, Shrimati B. Radhabhai Ananda
 Rao, Shri Jagannath
 Rao, Shri M. Nageswara
 Rao, Shri M. S. Sanjeevi
 Rao, Shri M. Satyanarayan
 Rao, Shri P. V. Narasimha
 Rathod, Shri Uttam
 Raut, Shri Bhola
 Reddi, Shri G. S.
 Reddy, Shri K. Obul
 Reddy, Shri M. Ram Gopal
 Reddy, Shri P. Venkata
 Sangma, Shri P. A.
 Sathiyendran, Shri M. S. K.
 Satish Prasad Singh, Shri
 Satya Deo Singh, Prof.
 Sawant, Shri T. M.
 Sebastian, Shri S. A. Dorai
 Selvaraju, Shri N.
 Sen, Shri A. K.
 Sethi, Shri Arjun
 Sethi, Shri P. C.
 Shailani, Shri Chandra Pal
 Shaktawat, Prof. Nirmala Kumari
 Shakyawar, Shri Nathuram
 Shankaranand, Shri B.
 Shanmugam, Shri P.

Sharma, Shri Churanji Lal
Sharma, Shri Kali Charan
Sharma, Shri Nand Kishore
Sharma, Shri Nawal Kishore
Sharma, Shri Pratap Banu
Shastri, Shri Dharam Dass
Shiv Shankar, Shri P.
Shivendra Bahadur Singh, Shri
Sidnal, Shri S. B.
Singh, Dr. B. N.
Singh Deo, Shri K. P.
Sinha, Shrimati Ramdulari
Soren, Shri Hari Har
Sparrow, Shri R. S.
Sreenivasa Prasad, Shri V.
Stephen, Shri C. M.
Sultanpuri, Shri Krishan Dutt
Sunder Singh, Shri
Swami, Shri K. A.
Tariq Anwar, Shri
Tayyab Hussain, Shri
Thakur, Shri Shivkumar Singh
Thorat, Singh Bhausahab
Tiwari, Shri Narayan Datt
Tytler, Shri Jagdish
Vairale, Shri Madhusudan
Varma, Shri Jai Ram
Venkataraman, Shri R.
Venkatasabhaiah, Shri P.
Verma, Shrimati Usha
Vijayaraghavan, Shri V. S.
Virbhadra Singh, Shri
Vyas, Shri Girdhari Lal
Wagh, Dr. Pratap
Wasnik, Shri Balkrishna Ramchandra
Yadav, Shri Ram Singh
Yadav, Shri Subhas Chandra
Yusuf, Shri Mohamed
Zali Singh, Shri
Zainul Basher, Shri

MR. DEPUTY-SPEAKER: Subject to correction, the result* of the division is: Ayes 62; Noes 209.

The motion was negatived.

MR. DEPUTY-SPEAKER: I shall now put Amendment No. 283, moved by Shri Tridib Chaudhuri, to the vote of the House. The question is:

"That the Bill be circulated for the purpose of eliciting opinion thereon by the 23rd December, 1981." (283)

The Lok Sabha divided:

Division No. 12] . . . [18.53 hrs

AYES

Acharia, Shri Basudeb
Balan, Shri A. K.
Balanandan, Shri E.
Barman, Shri Palas
Basu, Shri Chitta
Bhattacharayya, Shri Sushil
Biswas, Shri Ajoy
Chakraborty, Shri Satyasadhan
Chatterjee, Shri Somnath
Chaturbuj, Shri
Chaudhuri, Shri Tridib
Choudhury, Shri Saifuddin
Das, Shri R. P.
Ghosh, Shri Niren
Gosh Goswami, Shrimati Bibha
Giri, Shri Sudhir
Gopalan, Shrimati Suseela
Gupta, Shri Indrajit
Halder, Shri Krishna Chandra
Hannan Mollah, Shri
Harikesh Bahadur, Shri
Hasda, Shri Matilal
Horo, Shri N. E.
Imbichibava, Shri E. K.

*The following Members also recorded their votes:

AYES: Sarvashri A. K. Roy and Ajit Bag.

NOES: Sarvashri Subhash Chandra Bose Alluri, Ramayan Rai and R. N. Tripathi.

Jatiya, Shri Satyanarayan
 Jha, Shri Bhogendra
 Kodiyan, Shri P. K.
 Lawrence, Shri M. M.
 Madhukar, Shri Kamla Mishra
 Mahata, Shri Chitta
 Maitra, Shri Sunil
 Mandal, Shri Mukunda
 Mandal, Shri Sanat Kumar
 Masudal Hossain, Shri Syed
 Mhalgi, Shri R. K.
 Misra, Shri Satyagopal
 Modak, Shri Bijoy
 Mohammed Ismail, Shri
 Mukherjee, Shrimati Geeta
 Mukherjee, Shri Samar
 Pal, Prof. Rup Chand
 Parulekar, Shri Bapusaheb
 Pathak, Shri Ananda
 Rai, Shri M. Ramanna
 Rajan, Shri K. A.
 Riyan, Shri Baju Ban
 Roy, Dr. Saradish
 Roy Pradhan, Shri Amar
 Saha, Shri Ajit Kumar
 Saha, Shri Gadadhar
 Sen, Shri Subodh
 Shakya, Shri Daya Ram
 Shastri, Shri Ramavatar
 Shejwalkar, Shri N. K.
 Suraj Bhan, Shri
 Surya Narayan Singh, Shri
 Tirkey, Shri Pius
 Unnikrishnan, Shri K. P.
 Varma, Shri Ravindra
 Verma, Shri R. L. P.
 Yadav, Shri Vijay Kumar
 Zainal Abedin, Shri

NOES

Ahmed, Shri Kamaluddin
 Alluri, Shri Subhash Chandra Bose
 Amarinder Singh, Shri
 Ankineedu Prasad Rao, Shri P.

Anuragi, Shri Godil Prasad
 Appalanaidu, Shri S. R. A. S.
 Arakal, Shri Xavier
 Azad, Shri Bhagwat Jha
 Azad, Shri Ghulam Nabi
 Batitha, Shri D. L.
 Bajpai, Dr Rajendra Kumari
 Baleshwar Ram, Shri
 Bansi Lal, Shri
 Barot, Shri Maganbhai
 Barway, Shri J. C.
 Behera, Shri Rasabehari
 Bhagwan Dev, Acharya
 Bhakta, Shri Manoranjan
 Bhardwaj, Shri Parasram
 Bhatia, Shri R. L.
 Bhoi, Shri Krupasindhu
 Bhole, Shri R. R.
 Bhoys, Shri Reshma Motiram
 Bhuria, Shri Dileep Singh
 Birender Singh Rao
 Brar, Shrimati Gurbrinder Kaur
 Brijendra Pal Singh, Shri
 Buta Singh, Shri
 Chakradhari Singh, Shri
 Chandra Shekhar Singh, Shri
 Chandrashekharappa, Shri T. V.
 Chaturvedi, Shrimati Vidyawati
 Chaudhary, Shri Manphool Singh
 Chennupati, Shrimati Vidya
 Chingwang Konyak, Shri
 Choudhary, Shri A. B. A. Ghani Khan
 Dalbir Singh, Shri
 Das, Shri A. C.
 Dennis, Shri N.
 Dev, Shri Sontosh Mohan
 Dhandapani, Shri C. T.
 Era Anbarasu, Shri
 Faleiro, Shri Eduardo
 Fernandes, Shri Oscar
 Gadgil, Shri V. N.
 Gadhavi, Shri Bheravadan K.
 Gaekwad, Shri R. P.
 Gaikwad, Shri Udaysingrao

Gamit, Shri Chhitubhai
Gandhi, Shri Rajiv
Gehlot, Shri Ashok
Ghufran Azam, Shri
Gire Raj Singh, Shri
Gomango, Shri Giridhar
Gounder, Shri A. Senapathi
Hembom, Shri Seth
Jadeja, Shri Daulatsinhji
Jain, Shri Bhiku Ram
Jain, Shri Nihal Singh
Jain, Shri Virdhi Chander
Jamilur Rahman, Shri
Jena, Shri Chintamani
Jha, Shri Kamal Nath
Kamal Nath, Shri
Kamla Kumari, Kumari
Karma, Shri Laxman
Kaushal, Shri Jagan Nath
Keyur Bhusan, Shri
Khan, Shri Zulfiquar Ali
Kidwai, Shrimati Mohisna
Kosalram Shri K. T.
Krishna, Shri S. M.
Krishna Pratap Singh, Shri
Kuchan, Shri Gangadhar S.
Kusuma Krishna Murthy, Shri
Lakkappa, Shri K.
Laskar, Shri Nihar Ranjan
Madhuri Singh, Shrimati
Mahajan, Shri Vikram
Mahendra Prasad, Shri
Makwana, Shri Narsinh
Mallanna, Shri K.
Mallick, Shri Lakshman
Mallikarjun, Shri
Mallu, Shri Aanatha Ramulu
Meena, Shri Ram Kumar
Mishra, Shri Gargi Shankar
Mishra, Shri Ram Nagina
Mishra, Shri Uma Kant
Misra, Shri Harinatha
Misra, Shri Nityananda
Mohanty, Shri Brajamohan

Mohite, Shri Yasawantrao
More, Shri Ramkrishna
Murthy, Shri M. V. Chandrashekhara
Murugian, Shri S.
Muthu Kumaran, Shri R.
Muzuffar Hussain, Shri Syed
Nagina Rai, Shri
Naikar, Shri D. K.
Nair, Shri B. K.
Namgyal, Shri P.
Nandj Yelliah, Shri
Narayana, Shri K. S.
Nehru, Shri Arun Kumar
Netam, Shri Arvind
Nikhra, Shri Rameshwar
Oraon, Shri Kartik
Pandey, Shri Krishna Chandra
Panigrahi, Shri Chintamani
Pardhi, Shri Keshao Rao
Parmar, Shri Hiralal R.
Parthasarathy, Shri P.
Patel, Shri Amrit
Patel, Shri Mohanbhai
Patel, Shri Shantubhai
Patel, Shri Uttambhai H.
Patil, Shri A. T.
Patil, Shri Balasaheb Vikhe
Patil, Shri Chandrabhan Athare
Patil, Shri Shivraj V.
Patil, Shri Vasantrao
Patil, Shri Veerendra
Patil, Shri Vijay N.
Patnaik, Shrimati Jayanti
Pattabhi Rama Rao, Shri S. B. P.
Pilot, Shri Rajesh
Poojary, Shri Janardhana
Potdukhe, Shri Shantaram
Pullaiah, Shri Darur
Quadri, Shri S. T.
Rahim, Shri A. A.
Raju, Shri P. V. G.
Ram, Shri Ramswarup
Ramalingam, Shri N. Kudanthai
Ramamurthy, Shri K.

Ran Vir Singh, Shri
 Rane, Shrimati Sanyogita
 Ranga, Prof. N. G.
 Ranjit Singh, Shri
 Rao, Shrimati B. Radhabai Ananda
 Rao, Shri Jagannath
 Rao, Shri M. Nageswara
 Rao, Shri M. S. Sanjeevi
 Rao, Shri M. Satyanarayan
 Rao, Shri P. V. Narasimha
 Rathod, Shri Uttam
 Raut, Shri Bhola
 Reddi, Shri G. S.
 Reddy, Shri K. Brahmananda
 Reddy, Shri K. Obul
 Reddy, Shri M. Ram Gopal
 Reddy, Shri P. Venkata
 Saminuddin, Shri
 Sangma, Shri P. A.
 Sathiyendran, Shri M. S. K.
 Satish Prasad Singh, Shri
 Satya Deo Singh, Prof.
 Sawant, Shri T. M.
 Sebastian, Shri S. A. Dorai
 Selvaraju, Shri N.
 Sehi, Shri Arjun
 Sethi, Shri P. C.
 Shailani, Shri Chandra Pal
 Shaktawat, Prof. Nirmala Kumari
 Shakyawar, Shri Nathu Ram
 Shankaranand Shri B.
 Shanmugam, Shri P.
 Sharma, Shri Chiranjil Lal
 Sharma, Shri Kali Charan
 Sharma, Shri Nand Kishore
 Sharma, Shri Pratap Bhanu
 Shastri Shri Dharam Dass
 Shiv Shankar, Shri P.
 Shivendra Bahadur Singh, Shri
 Sidnal, Shri S. B.
 Singh, Dr. B. N.
 Singh Deo, Shri K. P.
 Sinha, Shrimati Ram Dulari
 Soren, Shri Hari Har

Soundararajan, Shri N.
 Sparrow, Shri R. S.
 Stephen, Shri C. M.
 Sukhadia, Shri Mohan Lal
 Sultanjuri, Shri Krishan Dutt
 Sunder Singh, Shri
 Swami, Shri K. A.
 Tariq Anwar, Shri
 Tayyab Hussain, Shri
 Thakur, Shri Shivkumar Singh
 Thorat, Shri Bhausabeb
 Tiwari, Shri Narayan Datt
 Tripathi, Shri R. N.
 Tytler, Shri Jagdish
 Varale, Shri Madhusudan
 Varma, Shri Jai Ram
 Venkataraman, Shri R.
 Venkatasubbalah, Shri P.
 Verma, Shrimati Usha
 Vijayaraghavan, Shri V. S.
 Virbhadrha Singh, Shri
 Vyas, Shri Girdhari Lal
 Wagh, Dr. Pratap
 Wasnik, Shri Balkrishna Ramchandra
 Yadav, Shri Ram Singh
 Yadav, Shri Subhash Chandra
 Yusuf, Shri Mohmed
 Zainul Basher, Shri

MR. DEPUTY SPEAKER: Subject to correction the result* of the division is Ayes 62, Noes 208. The amendment is negatived.

The motion was negatived.

MR. DEPUTY SPEAKER: I will now put Mr. R. K. Mhalgi's amendment to vote. The question is:

"That the Bill be circulated for the purpose of eliciting opinion thereon by the 15th November, 1981." (346).

The Lok Sabha divided:

Division No. 13]

[18.59 hrs.

AYES

Acharya, Shri Basudeb

*The following Members also recorded their votes:

AYES: Shri A. K. Roy and Ajit Bag;

NOES: Sarvashri Zail Singh, Nawal Kishore Sharma and Ramayan Rai.

Balan, Shri A. K.
Balanandan, Shri E.
Barman, Shri Palas
Bhattacharyya, Shri Sushil
Biswas, Shri Ajoy
Chakraborty, Shri Satyasadhan
Chatterjee, Shri Somnath
Chaturbhuja, Shri
Chaudhuri, Shri Tridib
Choudhury, Shri Saifuddin
Das, Shri R. P.
Ghosh, Shri Niren
Ghosh Goswami, Shrimati Bibha
Giri, Shri Sudhir
Gopalan, Shrimati Suseela
Gupta, Shri Indrajit
Halder, Shri Krishna Chandra
Hannan Mollah, Shri
Harikesh Bahadur, Shri

Hasda, Shri Matilal
Horo, Shri N. E.
Imbichibava, Shri E. K.
Jatiya, Shri Satyanarayan
Jha, Shri Bhogendra
Kodiyani, Shri P. K.
Lawrence, Shri M. M.
Madhukar, Shri Kamla Mishra
Mahata, Shri Chitta
Maitra, Shri Sunil
Mandal, Shri Mukunda
Mandal, Shri Sanat Kumar
Masudal Hossain, Shri Syed
Mhalgi, Shri R. K.
Misra, Shri Satyagopal
Modak, Shri Bijoy
Mohammed Ismail, Shri
Mukherjee, Shrimati Geeta
Mukherjee, Shri Samar
Pal, Prof. Rup Chand
Parulekar, Shri Bapusaheb
Pathak, Shri Ananda
Rai, Shri M. Ramanna

Rajan, Shri K. A.
Rajda, Shri Ratansinh
Riyan, Shri Bajuram
Roy, Dr. Saradish
Roy, Pradhan, Shri Amar
Saha, Shri Ajit Kumar
Saha, Shri Gadadhar
Sen, Shri Subodh
Shakya, Shri Daya Ram
Shastri, Shri Ramavatar
Shejwalkar, Shri N. K.
Suraj Bhan, Shri
Surya Narayan Singh, Shri
Tirkey, Shri Pius
Unnikrishnan, Shri K. P.
Varma, Shri Ravindra
Verma, Shri R. L. P.
Yadav, Shri Vijay Kumar
Zainal Abedin, Shri

NOES

Ahmed, Shri Kamaluddin
Alluri, Shri Subhash Chandra Bose
Amarinder Singh, Shri
Ankineedu Prasadrao, Shri P.
Anuragi, Shri Godil Prasad
Appalanaidu, Shri S. R. A. S.
Arakal, Shri Xavier
Azad, Shri Bhagwat Jha
Azad, Shri Ghulam Nabi
Baitha, Shri D. L.
Bajpai, Dr. Rajendra Kumari
Baleshwar Ram, Shri
Bansi Lal, Shri
Barot, Shri Maganbhai
Barway, Shri J. C.
Behera, Shri Rasabehari
Bhagwan Dev, Acharya
Bhakta, Shri Manoranjan
Bhardwaj, Shri Parasram
Bhatia, Shri R. L.
Bhoi, Dr. Krupasindhu
Bhole, Shri R. R.
Bhoye, Shri Reshma Motiram
Bhuria, Shri Dileep Singh

Birender Singh, Rao
 Brar, Shrimati Gurbinder Kaur
 Brijendra Pal Singh, Shri
 Buta Singh, Shri
 Chakradhari Singh, Shri
 Chandra Shekhar Singh, Shri
 Chandashekharappa, Shri T. V.
 Chaturvedi, Shrimati Vidawati
 Chaudhary, Shri Manphool Singh
 Chennupati, Shrimati Vidya
 Chingwang Konyak, Shri
 Choudhury, Shri A. B. A. Ghani Khan
 Dalbir Singh, Shri
 Das, Shri A.C.
 Dennis, Shri N.
 Dev, Shri Sontoosh Mohan
 Dhandapani, Shri C. T.
 Era Ambarasu, Shri
 Fernandes, Shri Oscar
 Gadgil, Shri V.N.
 Gadhave, Shri Bheravadan K.
 Gaskwad, Shri R.P.
 Gaikwad, Shri Udayaingrao
 Gamit, Shri Chhitubhai
 Gandhi, Shri Rajiv
 Gehlot, Shri Ashok
 Ghufraan Azam, Shri
 Gireraaj Singh, Shri
 Gomango, Shri Giridhar
 Gounder, Shri A. Senapathi
 Hembrom, Shri Seth
 Jadeja Shri Daulatsinhji
 Jain, Shri Bhiku Ram
 Jain, Shri Nihal Singh
 Jain, Shri Virdhi Chander
 Jamilur Rahman, Shri
 Jena, Shri Chintamani
 Jha, Shri Kamal Nath
 Kamal Nath, Shri
 Kamla Kumari, Kumari
 Karma, Shri Laxman
 Kaushal, Shri Jagan Nath
 Keyur Bhusan, Shri

Khan, Shri Zulfiquar Ali
 Kidwai, Shrimati Mohsina
 Kosalram, Shri K.T.
 Krishna, Shri S.M.
 Krishna Pratap Singh, Shri
 Kuchan, Shri Gangadhar S.
 Kusuma Krishna Murthy, Shri
 Lakkappa, Shri K.
 Laskar, Shri Nihar Ranjan
 Madhuri Singh, Shrimati
 Mahajan, Shri Vikram
 Mahendra Prasad, Shri
 Makwana, Shri Narsinh
 Mallanna, Shri K.
 Malick, Shri Lakshman
 Mallikajun, Shri
 Mallu, Shri Anantha Ramulu
 Meena, Shri Ram Kumar
 Mishra, Shri Gargi Shankar
 Mishra, Shri Ram Nagina
 Misra, Shri Harinatha
 Misra, Shri Nityananda
 Mohanty, Shri Brajamohan
 Mohite, Shri Yashawantrao
 More, Shri Ramkrishna
 Mundackal, Shri George Joseph
 Murthy, Shri M. V. Chandrashekhara
 Murugian, Shri S.
 Muthu Kumaran, Shri R.
 Muzaffar Hussain, Shri. Syed
 Nagina Rai, Shri
 Naikar, Shri D. K.
 Namgyal, Shri P.
 Nandi Yellaiah, Shri
 Narayana, Shri K. S.
 Nehru, Shri Arun Kumar
 Netam, Shri Arvind
 Nikhra, Shri Rameshwar
 Oraon, Shri Kartik
 Pendey, Shri Krishna Chandra
 Panigrahi, Shri Chintamani
 Pardhi, Shri Kesharao
 Parmar, Shri Hiralal R.

Parthasarathy, Shri P.
 Patel, Shri Amrit
 Patel, Shri Mohanbhai
 Patel, Shri Uttambhai H.
 Patil, Shri A.T.
 Patil, Shri Balasaheb Vikhe
 Patil, Shri Chandrabhan Athare
 Patil, Shri Shivraj V.
 Patil, Shri Vasantao
 Patil, Shri Veerendra
 Patil, Shri Vijay N.
 Patnaik, Shrimati Jayanti
 Pattabhai Rama Rao, Shri S. B. P.
 Pilot, Shri Rajesh
 Poojary, Shri Janardhana
 Potdukhe, Shri Shantaram
 Pullaiah, Shri Darur
 Quadri, Shri S. T.
 Rahim, Shri A. A.
 Raju, Shri P. V. G.
 Ram, Shri Ramswaroop
 Ramalingam, Shri N Kudanthai
 Ramamurthy, Shri K.
 Ram Vir Singh, Shri
 Rane, Shrimati Sanyogita
 Ranga, Prof. N. G.
 Ranjit Singh, Shri
 Rao, Shrimati B. Radhabai Ananda
 Rao, Shri Jagannath
 Rao, Shri M. Nageswara
 Rao, Shri M. S. Sanjeevi
 Rao, Shri M. Satyanarayan
 Rao, Shri P. V. Narasimha
 Rathod, Shri Uttam
 Raut, Shri Bhola
 Reddi, Shri G. S.
 Reddy, Shri K. Brahmananda
 Reddy, Shri K. Obul
 Reddy, Shri M. Ram Gopal
 Reddy, Shri P. Venkata
 Saminuddin, Shri
 Sangma, Shri P. A.

Sathiyendran, Shri M. S. K.
 Satish Prasad Singh, Shri
 Satya Deo Singh, Prof.
 Sawant, Shri T. M.
 Sebastian, Shri S. A. Dorai
 Selvaraju, Shri N.
 Sethi, Shri Arjun
 Sethi, Shri P. C.
 Shailani, Shri Chandra Pal
 Shaktawat, Prof. Nirmala Kumari
 Shakyawar, Shri Nathuram
 Shankaranand, Shri B.
 Shanmugam, Shri P.
 Sharma, Shri Chiranji Lal
 Sharma, Shri Kali Charan
 Sharma, Shri Nand Kishore
 Sharma, Shri Nawal Kishore
 Sharma, Shri Pratap Bhanu
 Shastri, Shri Dharam Dass
 Shiv Shankar, Shri P.
 Shivendra Bahadur Singh, Shri
 Sidnal, Shri S. B.
 Singh, Dr. B. N.
 Singh Deo, Shri K. P.
 Sinha, Shrimati Ramdulari
 Soren, Shri Hari Har
 Soundararajan, Shri N.
 Sparrow, Shri R. S.
 Stephen, Shri C. M.
 Sukhadia, Shri Mohan Lal
 Sultanpuri, Shri Krishna Dutt
 Sunder Singh, Shri
 Swami, Shri K. A.
 Tariq Anwar, Shri
 Tayyab Hussain, Shri
 Thakur, Shri Shivkumar Singh
 Thorat, Shri Bhausaheb
 Tiwari, Shri Narayan Datt
 Tripathi, Shri R. N.
 Tytler, Shri Jagdish
 Vairale, Shri Madhusudan
 Varma, Shri Jai Ram
 Venkataraman, Shri R.

Venkatasubbaiah, Shri P.
 Verma, Shrimati Usha
 Vijayaraghavan, Shri V. S.
 Virbhadra Singh, Shri
 Vyas, Shri Girdhari Lal
 Wagh, Dr. Pratap
 Wasnik, Shri Balkrishna Ramchandra
 Yadav, Shri Ram Singh
 Yadav, Shri Subhash Chandra
 Yusuf, Shri Mohamed
 Zail Singh, Shri
 Zainul Basher, Shri

MR. DEPUTY-SPEAKER: Subject to correction, the result* of the division is: Ayes 62; Noes 207.

The motion was negatived.

19 hrs.

MR. DEPUTY-SPEAKER: Now, I shall put Amendment No. 347 moved by Shri K. P. Unnikrishnan to the vote of the House. Let the Lobbies be cleared—

Lobbies have been cleared. The question is:

"That the Bill be circulated to all registered trade-unions in India for their opinion and for the purpose of eliciting public opinion by 31 December, 1981." (347)

The Lok Sabha divided:

Division No. 14] [19.05 hrs.

AYES

Acharia, Shri Basudeb
 Balanandan, Shri E.
 Barman, Shri Palas
 Basu, Shri Chitta
 Bhattacharyya, Shri Sushil
 Biswas, Shri Ajoy
 Chakraborty, Shri Satyasadhan
 Chatterjee, Shri Somnath
 Chaturbhuj, Shri
 Chaudhuri, Shri Tridib

Dass, Shri R. P.
 Ghosh, Shri Niren
 Ghosh Goswami, Shrimati Bibha
 Giri, Shri Sudhir
 Gopalan, Shrimati Suseela
 Gupta, Shri Indrajit
 Halder, Shri Krishna Chandra
 Hannan Mollah, Shri
 Hasda, Shri Matilal
 Horo, Shri N. E.
 Imbichibava, Shri E. K.
 Jatiya, Shri Satyanarayan
 Jha, Shri Bhogendra
 Kodiyan, Shri P. K.
 Lawrence, Shri M. M.
 Madhukar, Shri Kamla Mishra
 Mahata, Shri Chitta
 Maitra, Shri Sunil
 Mandal, Shri Mukunda
 Mandal, Shri Sanat Kumar
 Masudal Hossain, Shri Syed
 Mhalgi, Shri R. K.
 Misra, Shri Satyagopal
 Modak, Shri Bijoy
 Mohammed Ismail, Shri
 Mukherjee, Shrimati Geeta
 Mukherjee, Shri Samar
 Pal, Prof. Rup Chand
 Parulekar, Shri Bapusaheb
 Pathak, Shri Ananda
 Rai, Shri M. Ramanna
 Riyan, Shri Bajju Ban
 Roy, Dr. Saradish
 Roy Pradhan, Shri Amar
 Saha, Shri Ajit Kumar
 Saha, Shri Gadadhar
 Sen, Shri Subodh
 Shakya, Shri Daya Ram
 Shastri, Shri Ramavatar
 Shejwalkar, Shri N. K.

*The following Members also recorded their votes:

AYES: Sarvashri A. K. Roy, Chitta Basu and Ajit Bag;

NOES: Shri Ramayan Rai and Shri Uma Kant Mishra.

Suraj Bhan, Shri
Surya Narayan Singh, Shri
Tirkey, Shri Pius
Unnikrishnan, Shri K. P.
Varma, Shri Ravindra
Verma, Shri R. L. P.
Yadav, Shri Vijay Kumar
Zainal Abedin, Shri

NOES

Ahmed, Shri Kamaluddin
Alluri, Shri Subhas Chandra Bose
Amarinder Singh, Shri
Ankineedu Prasad Rao, Shri P.
Anuragi, Shri Godil Prasad
Appalanaidu, Shri S. R. A. S.
Arakal, Shri Xavier
Azad, Shri Bhagwat Jha
Azad, Shri Ghulam Nabi
Baitha, Shri D. L.
Bajpai, Dr. Rajendra Kumari
Baleshwar Ram, Shri
Bansi Lal, Shri
Barot, Shri Maganbhai
Barway, Shri J. C.
Behera, Shri Rasabehari
Bhagat, Shri H. K. L.
Bhakta, Shri Manoranjan
Bhatia, Shri R. L.
Bhoi, Dr. Krupasindhu
Bhole, Shri R. R.
Bhoyee, Shri Reshma Motiram
Bhuria, Shri Dileep Singh
Birender Singh, Rao
Brar, Shrimati Gurbinder Kaur
Brijendra Pal Singh, Shri
Buta Singh, Shri

Chakradhari Singh, Shri
Chandra Shekhar Singh, Shri
Chandrashekharappa, Shri T. V.
Chaturvedi, Shrimati Vidyawati
Chaudhary, Shri Mamphool Singh
Chennupati, Shrimati Vidya
Chingwang Konyak, Shri

Choudhury, Shri A. B. A. Ghani Khan
Dalbir Singh, Shri
Das, Shri A. C.
Dennis, Shri N.
Dev, Shri Sontosh Mohan
Dhandapani, Shri C. T.
Era Anbarasu, Shri
Fernandes, Shri Oscar
Gadgil, Shri V. N.
Gadhavi, Shri Bheravadan K.
Gaekwad, Shri R. P.
Gaikwad, Shri Udaysingrao
Gamit, Shri Chhitubhai
Gandhi, Shri Rajiv
Gehlot, Shri Ashok
Ghufran Azam, Shri
Gireraj Singh, Shri
Gomango, Shri Giridhar
Gounder, Shri A. Senapathi
Hembrom, Shri Seth
Jadeja, Shri Daulatsinhji
Jain, Shri Bhiku Ram
Jain, Shri Nihal Singh
Jain, Shri Virdhi Chander
Jamilur Rahman, Shri
Jena, Shri Chintamani
Jha, Shri Kamal Nath
Kamla Kumari, Kumari
Karma, Shri Laxman
Kaushal, Shri Jagan Nath
Keyur Bhusan, Shri
Kidwai, Shrimati Mohsina
Kosalram, Shri K. T.
Krishna, Shri S. M.
Krishna Pratap Singh, Shri
Kuchan, Shri Ganagadhar S.
Kunwar Ram, Shri
Lakkappa, Shri K.
Laskar, Shri Nihar Ranjan
Madhuri Singh, Shrimati
Mahajan, Shri Vikram
Mahendra Prasad, Shri
Makwana, Shri Narsinh

Mallanna, Shri K.
 Mallick, Shri Lakshman
 Mallikarjun, Shri
 Meena, Shri Ram Kumar
 Mishra, Shri Gargi Shankar
 Mishra, Shri Ram Nagina
 Mishra, Shri Uma Kant
 Misra, Shri Harinatha
 Misra, Shri Nityananda
 Mohanty, Shri Brajamohan
 Mohite, Shri Yashawantrao
 More, Shri Ramkrishna
 Mundackal, Shri George Joseph
 Murthy, Shri M. V. Chandrashekhara
 Murugian, Shri S.
 Muthu Kumaran, Shri R.
 Muzaffar Hussain, Shri Syed
 Nagina Rai, Shri
 Naikar, Shri D. K.
 Nair, Shri B. K.
 Namgyal, Shri P
 Narayana, Shri K. S.
 Netam, Shri Arvind
 Nikhra, Shri Rameshwar
 Oraon, Shri Kartik
 Pandey, Shri Krishna Chandra
 Panigrahi, Shri Chintamani
 Pardhi, Shri Kesharao
 Parmar, Shri Hiralal R.
 Parthasarathy, Shri P.
 Patel, Shri Mohanbhai
 Patel, Shri Shantubhai
 Patel, Shri Uttambhai H.
 Patil, Shri A. T.
 Patil, Shri Balasaheb Vikhe
 Patil, Shri Chandrabhan Athare
 Patil, Shri Shivraj V.
 Patil, Shri Veerendra
 Patil, Shri Vijay N.
 Patnaik, Shrimati Jayanti
 Pattabhi Rama Rao, Shri S. B. P.
 Pilot, Shri Rajesh
 Poojary, Shri Janardhana

Potdukhe, Shri Shantaram
 Pullaiah, Shri Darur
 Quadri, Shri S. T.
 Rahim, Shri A. A.
 Raju, Shri P. V. G.
 Ram, Shri Ramswaroop
 Ramalingam, Shri N. Kudanthai
 Ramamurthy, Shri K.
 Ran Vir Singh, Shri
 Rane, Shrimati Sanyogita
 Ranga, Prof. N. G.
 Ranjit Singh, Shri
 Rao, Shrimati B. Radhabai Ananda
 Rao, Shri Jagannath
 Rao, Shri M. Nageswara
 Rao, Shri M. S. Sanjeevi
 Rao, Shri M. Satyanarayan
 Rao, Shri P. V. Narasimha
 Rathod, Shri Uttam
 Raut, Shri Bhola
 Reddi, Shri G. S.
 Reddy, Shri K. Brahmananda
 Reddy, Shri K. Obul
 Reedy, Shri M. Ram Gopal
 Reddy, Shri P. Venkata
 Saminuddin, Shri
 Sangma, Shri P. A.
 Sathiyendran, Shri M. S. K.
 Satish Prasad Singh, Shri
 Satya Deo Singh, Prof.
 Sawant, Shri T. M.
 Sebastian Shri S. A. Dorai
 Selvaraju, Shri N.
 Sethi, Shri Arjun
 Sethi, Shri P. C.
 Shailani, Shri Chandra Pal
 Shaktawat, Prof. Nirmala Kumari
 Shakyawar, Shri Nathuram
 Shankaranand, Shri B.
 Shanmugam, Shri P.
 Sharma, Shri Chiranjil Lal
 Sharma, Shri Kali Charan
 Sharma, Shri Nand Kishore

Sharma, Shri Nawal Kishore
 Sharma, Shri Pratap Bhanu
 Shastri, Shri Dharam Dass
 Shiv Shankar, Shri P.
 Shivendra Bahadur Singh, Shri
 Sidnal, Shri S. B.
 Singh, Dr. B. N
 Singh Deo, Shri K. P.
 Sinha, Shrimati Ramdulari
 Soren, Shri Hari Har
 Sparrow, Shri R S.
 Stephen, Shri C. M.
 Sukhadia, Shri Mohan Lal
 Sultanpuri, Shri Krishan Dutt
 Sunder Singh, Shri
 Swami, Shri K. A.
 Tariq Anwar, Shri
 Tayyab Hussain, Shri
 Thakur, Shri Shivkumar Singh
 Thorat, Shri Bhausaheb
 Tiwari, Shri Narayan Datt
 Tripathi, Shri R. N.
 Tytler, Shri Jagdish
 Varma, Shri Jai Ram
 Venkataraman, Shri R.
 Venkatasubbaiah, Shri P.
 Verma, Shrimati Usha
 Virbhadra Singh, Shri
 Vyas, Shri Girdhari Lal
 Wagh, Dr. Pratap
 Wasnik, Shri Balkrishna Ramchandra
 Yadav, Shri Ram Singh
 Yadav, Shri Subhas Chandra
 Yusuf, Shri Mohmed
 Zail Singh, Shri
 Zainul Basher, Shri

MR. DEPUTY-SPEAKER: Subject to correction the result* of the division is: Ayes: 58; Noes 199.

The motion was negatived.

MR. DEPUTY-SPEAKER: Now I put Amendment No. 349 moved by Shri A. K. Roy to the vote of the House. The question is:

"That the Bill to provide for the maintenance of certain essential services and the normal life of the the community, be referred to a Select Committee consisting of 11 members, namely:—

- (1) Smt. Pramila Dandavate
- (2) Shrimati Suseela Gopalan
- (3) Shri Krishna Chandra Hal-
- dor
- (4) Shri N. E. Horo
- (5) Shri Chitta Mahata
- (6) Shri Bijoy Modak
- (7) Shri Amar Roypradhan
- (8) Shri Ajit Kumar Saha
- (9) Shri R. L.P. Verma
- (10) Giani Zail Singh; and
- (11) Shri A. K. Roy

With instructions to report by the 31st December, 1981.* (349)

The Lok Sabha divided:

Division No. 15) (19.11 hrs.)

AYES

Acharia, Shri Basudeb
 Balanandan, Shri E.
 Barman, Shri Palas
 Basu, Shri Chitta
 Bhattacharyya, Shri Sushil
 Biswas, Shri Ajoy
 Chakraborty, Shri Satyasadhan
 Chaturbhuj, Shri
 Chaudhuri, Shri Tridib
 Choudhury, Shri Saifuddin
 Ghosh, Shri Niren
 Ghosh Goswami, Shrimati Bibha
 Giri, Shri Sudhir

*The following Members also recorded their votes:

AYES: Sarvshri A. K. Roy, A. K. Balan and Ajit Bag;

NOES: Sarvashri V. S. Vijayaraghawan, Zulfiqar Ali Khan, Ramayan Raf and Acharya Bhagwan Dev.

Gopalan, Shrimati Suseela
 Gupta, Shri Indrajit
 Halder, Shri Krishna Chandra
 Hannan Mollah, Shri
 Harikesh Bahadur, Shri
 Hasda, Shri Matilal
 Horo, Shri N. E.
 Imbichibava, Shri E. K.
 Jatiya, Shri Satyanarayan
 Jha, Shri Bhogendra
 Kодиан, Shri P. K.
 Lawrence, Shri M. M.
 Madhukar, Shri Kamla Mishra
 Mahata, Shri Chitta
 Mandal, Shri Mukunda
 Mandal, Shri Sanat Kumar
 Masudal Hossain, Shri Syed
 Mehta, Prof. Ajit Kumar
 Mhalgi, Shri R. K.
 Misra, Shri Satyagopal
 Modak, Shri Bijoy
 Mohammed Ismail, Shri
 Mukherjee, Shrimati Geeta
 Mukherjee, Shri Samar
 Pal, Prof. Rup Chand
 Parulekar, Shri Bapusaheb
 Pathak, Shri Ananda
 Rajan, Shri K. A.
 Riyan, Shri Baju Ban
 Roy, Dr. Saradish
 Roy Pradhan, Shri Amar
 Saha, Shri Ajit Kumar
 Saha, Shri Gadadhar
 Sen, Shri Subodh
 Shakya, Shri Daya Ram
 Shastir, Shri Ramavatar
 Shejwalkar, Shri N. K.
 Suraj Bhan, Shri
 Surya Narayan Singh, Shri
 Turkey, Shri Pius
 Unnikrishnan, Shri K. P.
 Varma, Shri Ravindra
 Verma, Shri R. L. P.

Yadav, Shri Vijay Kumar
 Zainal Abedin, Shri

NOES

Ahmed, Shri Kamaluddin
 Alluri Shri Subhash Chandra Bose
 Amarinder Singh, Shri
 Ankineedu Prasad Rao, Shri P.
 Anuragi, Shri Godil Prasad
 Appalanaidu, Shri S. R. A. S.
 Arakal, Shri Xavier
 Azad, Shri Bhagwat Jha
 Baitha, Shri D. L.
 Bajpai, Dr. Rajendra Kumari
 Baleshwar Ram, Shri
 Bansi Lal, Shri
 Barot, Shri Maganbhai
 Barway, Shri J. C.
 Behera, Shri Rasabehari
 Bhagat, Shri H. K. L.
 Bhagwan Dev, Acharya
 Bhakta, Shri Manoranjan
 Bhatia, Shri R. L.
 Bhoi, Dr. Krupasindhu
 Bhole, Shri R. R.
 Bhuria, Shri Dileep Singh
 Birender Singh, Rao
 Brar, Shrimati Gurbinder Kaur
 Brijendra Pal Singh, Shri
 Butta Singh, Shri
 Chakradhari Singh, Shri
 Chandra Shekhar Singh, Shri
 Chandrashekarappa, Shri T. V.
 Chaturvedi, Shrimati Vidyawati
 Chaudhary, Shri Manphool, Singh
 Chennupati, Shrimati Vidya
 Chingwang Konyak, Shri
 Choudhury, Shri A. B. A. Ghani Khan
 Dalbir Singh, Shri
 Das, Shri A. C.
 Dennis, Shri N.

Dev, Shri Sontosh Mohan
Dhandapani, Shri C. T.
Era Anbarasu, Shri
Gadgil, Shri V. N.
Gadhavi, Shri Bheravadan K.
Gaekwad, Shri R. P.
Gaikwad, Shri Udaysingrao
Gamit, Shri Chhitubhai
Gandhi, Shri Rajiv
Ghufran Azam, Shri
Gireraj Singh, Shri
Gomango, Shri Giridhar
Gounder, Shri A. Senapathi
Gowda, Shri D. M. Putte
Hembrom, Shri Seth
Jadeja, Shri Daulatsinhji
Jain, Shri Bhiku Ram
Jain, Shri Nihal Singh
Jain, Shri Virdhi Chander
Jamilur Rahman, Shri
Jena, Shri Chintamani
Jha, Shri Kamal Nath
Kamal Nath, Shri
Kamla Kumari, Kumari
Karma, Shri Laxman
Kaushal, Shri Jagan Nath
Keyur Bhushan, Shri
Khan, Shri Zulfiqar Ali
Kidwai, Shrimati Mohsina
Krishna, Shri S. M.
Krishna, Pratap Singh, Shri
Kuchan, Shri Gangadhar S.
Kunwar Ram, Shri
Lakkappa, Shri K.
Laskar, Shri Nihar Ranjan
Madhuri Singh, Shrimati
Mahajan, Shri Vikram
Mahendra Prasad, Shri
Mallick, Shri Lakshman
Mallikarjun, Shri
Mallu, Shri Anantha Ramulu
Meena, Shri Ram Kumar
Misra, Shri Gargi Shankar

Mishra, Shri Ram Nagina
Mishra, Shri Uma Kent
Misra, Shri Harinatha
Misra, Shri Nityananda
Mohanty, Shri Brajamohan
Mohite, Shri Yashwantrao
More, Shri Ramkrishna
Mundackal, Shri George Joseph
Murthy, Shri M. V. Chandrashekhara
Murugian, Shri S.
Muthu Kumaran, Shri R.
Muttemwar, Shri Vilas
Muzaffar Hussain, Shri Syed
Nagina Rai, Shri
Naikar, Shri D. K.
Nair, Shri B. K.
Namgyal, Shri P.
Narayana, Shri K. S.
Netam, Shri Arvind
Nikhra, Shri Rameshwar
Oraon, Shri Kartik
Pandey, Shri Krishna Chandra
Panigrahi, Shri Chintamani
Pardhi, Shri Keshao Rao
Parmar, Shri Hiralal R.
Parthasarathy, Shri P.
Patel, Shri Mohanbhai
Patel, Shri Shantubhai
Patel, Shri Uttambhai H.
Patil, Shri A. T.
Patil, Shri Balasaheb Vikhe
Patil, Shri Shivraj V.
Patil, Shri Veerendra
Patil, Shri Vijay N.
Patnaik, Shrimati Jayanti
Pattabhi Rama Rao, Shri S. B. P.
Pilo, Shri Rajesh
Poojary, Shri Janardhana
Potdukhe, Shri Shantaram
Pullaiah, Shri Darur
Rahim, Shri A. A.
Rajamallu, Shri K.
Raju, Shri P. V. G.
Ram, Shri Ramswaroop
Ramamurthy, Shri K.
Rao Vir Singh, Shri

Rane, Shrimati Sanyogita
Ranga, Prof. N. G.
Ranjit Singh, Shri
Rao, Shrimati B. Radhabai Ananda
Rao, Shri Jagannath
Rao, Shri M. Nageswara
Rao, Shri M. S. Sanjeevi
Rao, Shri M. Satyanarayan
Rao, Shri P. V. Narasimha
Rathod, Shri Uttam

Raut, Shri Bhola
Reddi, Shri G. S.
Reddy, Shri K. Brahmananda
Reddy, Shri M. Ram Gopal
Reddy, Shri P. Venkata
Saminuddin, Shri

Sangma, Shri P. A.
Sathiyendran, Shri M. S. K.
Satish Prasad Singh, Shri
Satya Deo Singh, Shri
Sawant, Shri T. M.

Sebastian Shri S. A. Dorai
Selvaraju, Shri. N
Sethi, Shri Arjun
Sethi, Shri P. C.
Shallani, Shri Chandra Pal

Shaktawat, Prof. Nirmala Kumari
Shankaranand, Shri B.
Shanmugam, Shri P.
Sharma, Shri Chiranjil Lal
Sharma, Shri Kali Charan
Sharma, Shri Nand Kishore

Sharma, Shri Nawal Kishore
Sharma, Shri Pratap Bhanu
Shastri, Shri Dharam Dass
Shiv Shankar, Shri P.

Shivendra Bahadur Singh, Shri
Sidnal, Shri S. B.
Singh, Dr. B. N.
Singh Deo, Shri K. P.
Sinha, Shrimati Ramdulari
Soren, Shri Hari Har
Sparrow, Shri R. S.
Stephen, Shri C. M.
Sukhadia, Shri Mohan Lal
Sultanpuri, Shri Krishan Dutt
Sunder Singh, Shri
Swami, Shri K. A.
Tariq Anwar, Shri
Tayyab Hussain, Shri
Thakur, Shri Shivkumar Singh
Thorat, Shri Bhausahab
Tiwari, Shri Narayan Datt
Tripathi, Shri R. N.
Tytlor, Shri Jagdish
Varma, Shri Jal Ram
Venkataraman, Shri R.
Venkatasubbaiah, Shri P.
Verma, Shrimati Usha
Vijayaraghavan, Shri V. S.
Virbhadr Singh, Shri
Vyas, Shri Girdhari Lal
Wagh, Dr. Pratap
Wasnik, Shri Balkrishna Ramchandra
Yadav, Shri Ram Singh
Yadav, Shri Subhash Chandra
Yusuf, Shri Mohmed
Zail Singh, Shri
Zainul Basher, Shri

MR. DEPUTY-SPEAKER: Subject to correction, the result* of the division is: Ayes 58; Noes 195.

The motion was negatived.

*The following Members also recorded their votes:

AYES: Sarvshri A. K. Roy, Sunil Maitra, A. K. Balan,
R. P. Das and Ajit Bag;

NOES: Sadvshri Ramayan Rai N. Kudanthai Ramalingam and Nathuram Shakyawar.

MR. DEPUTY-SPEAKER: The question is:

"That the Bill to provide for the maintenance of certain essential services and the normal life of the community, be taken into consideration".

The Lok Sabha divided:

Division No. 160]

[19.17 hrs.

AYES

Ahmed, Shri Kamaluddin
Alluri, Shri Subhash Chandra Bose
Ankineedu Prasad Rao, Shri P.
Anuragi, Shri Godil Prasad
Appalanaidu, Shri S. R. A. S.
Arakal, Shri Xavier
Azad, Shri Bhagwat Jha
Bailtha, Shri D. L.
Bajpai, Dr. Rajendra Kumari
Baleshwar Ram, Shri
Barot, Shri Maganbhai
Barway, Shri J. C.
Behera, Shri Rasabehari
Bhagat, Shri H. K. L.
Bhagwan Dev, Acharya
Bhakta, Shri Manoranjan
Bhatia, Shri R. L.
Bhoi, Dr. Krupasindhu
Bhole, Shri R. R.
Bhuria, Shri Dileep Singh
Birender Singh, Rao
Brar, Shrimati Gurbrinder Kaur
Brijendra Pal Singh, Shri
Buta Singh, Shri
Chakradhari Singh, Shri
Chandra Shekar Singh, Shri
Chandrashekarappa, Shri T. V.
Chennupati, Shrimati Vidya
Chingwang Konyak, Shri
Choudhury, Shri A. B. A. Ghani Khan
Dalbir Singh, Shri
Das, Shri A. C.
Dennis, Shri N.

Dev, Shri Sontosh Mohan
Dhandapani, Shri C. T.
Era Anbarasu, Shri
Fernandes, Shri Oscar
Gadgil, Shri V. N.
Gaekwad, Shri R. P.
Gaikwad, Shri Udaysingrao
Garnit, Shri Chhitubhai
Gandhi, Shri Rajiv
Ghufran Azam, Shri
Gireraj Singh, Shri
Gomango, Shri Giridhar
Gounder, Shri A. Senapathi
Gowda, Shri D. M. Putte
Jadeja, Shri Daulatsinhji
Jaffer Sharief, Shri C. K.
Jain, Shri Bhiku Ram
Jain, Shri Nihal Singh
Jain, Shri Virdhi Chander
Jamilur Rahman, Shri
Jena, Shri Chintamani
Jha, Shri Kamal Nath
Kamal Nath, Shri
Kamla Kumari, Kumari
Karma, Shri Laxman
Kaushal, Shri Jagan Nath
Keyur Bhushan, Shri
Khan, Shri Zafiqar Ali
Kidwai, Shrimati Mohsina
Kosalram Shri K. T.
Krishna, Shri S. M.
Krishna Pratap Singh, Shri
Kuchan, Shri Gangadhar S.
Kunwar Ram, Shri
Kusuma Krishna Murthy, Shri
Lakkappa, Shri K.
Laskar, Shri Nihar Ranjan
Madhuri Singh, Shrimati
Mahendra Prasad, Shri
Makwana, Shri Narsinh
Mallanna, Shri K.
Mallick, Shri Lakshman
Malikarjun, Shri
Mallu, Shri Anantha Ramulu

Meena, Shri Ram Kumar
 Mehta, Dr. Mahipatray M.
 Mishra, Shri Gargi Shankar
 Mishra, Shri Ram Nagina
 Mishra, Shri Uma Kant
 Misra, Shri Harinatha
 Misra, Shri Nityananda
 Mohite, Shri Yashawantrao
 More, Shri Ramkrishna
 Mundackal, Shri George Joseph
 Murthy, Shri M. V. Chandrashekhara
 Murugian, Shri S.
 Nagina Rai, Shri
 Naikar, Shri D. K.
 Nair, Shri B. K.
 Namgyal, Shri P.
 Narayana, Shri K. S.
 Netam, Shri Arvind
 Nikhra, Shri Rameshwar
 Orson, Shri Kartik
 Pandey, Shri Krishna Chandra
 Panigrahi, Shri Chintamani
 Pardhi, Shri Kesharao
 Parmar, Shri Hiralal R.
 Parthasarathy, Shri P.
 Patel, Shri Mohanbhai
 Patel, Shri Uttambhai H.
 Patil, Shri A. T.
 Patil, Shri Balasaheb Vikhe
 Patil, Shri Shiraj V.
 Patil, Shri Veerendra
 Patil, Shri Vijay N.
 Patnaik, Shrimati Jayanti
 Pattabhi Rama Rao, Shri S. D. P.
 Pilot, Shri Rajesh
 Poojary, Shri Janardhana
 Potdukhe, Shri Shantaram
 Prasan Kumar, Shri S. N.
 Pullalah, Shri Darur
 Rahim, Shri A.A.
 Rajamallu, Shri K.
 Raju, Shri P. V. G.
 Ram, Shri Ramawaroop
 Ramalingam, Shri N. Kudanthai

Ramamurthy, Shri K.
 Rane, Shrimati Sanyogita
 Ranga, Prof. N. G.
 Ranjit Singh, Shri
 Rao, Shrimati B. Radhabai Ananda
 Rao, Shri Jagannath
 Rao Shri M. Nageswara
 Rao, Shri M. S. Sanjeevi
 Rao, Shri M. Satyanarayan
 Rao, Shri P. V. Narasimha
 Rathod, Shri Uttam
 Raut, Shri Bhola
 Reddi, Shri G. S.
 Reddy, Shri K. Brahmananda
 Reddy, Shri K. Obul
 Reddy, Shri M. Ram Gopal
 Reddy, Shri P. Venkata
 Saminuddin, Shri
 Sangma, Shri P. A.
 Sathiyendran, Shri M. S. K.
 Satish Prasad Singh, Shri
 Satya Deo Singh, Prof.
 Sawant, Shri T. M.
 Sebastian, Shri S. A. Dorai
 Selvaraju, Shri N.
 Sethi, Shri Arjun
 Sethi, Shri P. C.
 Shailani, Shri Chandra Pal
 Shakyawar, Shri Nathuram
 Shanmugam, Shri P.
 Sharma, Shri Chiranji Lal
 Sharma, Shri Kali Charan
 Sharma, Shri Nand Kishore
 Sharma, Shri Nawal Kishore
 Sharma, Shri Pratap Bhanu
 Shastri, Shri Dharam Dass
 Shiv Shankar, Shri P.
 Shivendra Bahadur Singh, Shri
 Madal, Shri S. B.
 Singh, Dr. B. N.
 Singh Deo, Shri K. P.
 Sinha, Shrimati Ramdulari
 Soreo, Shri Hari Har
 Soundararajan, Shri N.
 Sparrow, Shri R. S.
 Sreenivasa Prasad, Shri V.

Stephen, Shri C. M.
Sukhadia, Shri Mohan Lal
Sultanpuri, Shri Krishan Dutt
Sunder Singh, Shri
Swami, Shri K. A.
Tariq Anwar, Shri
Tayyab Hussain, Shri
Thorat, Shri Bhansabeb
Tiwari, Shri Narayan Datt
Tripathi Shri R. N.
Tytler, Shri Jagdish
Varma, Shri Jai Ram
Venkataraman, Shri R.
Venkatasubbalah, Shri P.
Verma, Shrimati Usha
Vijayaraghavan, Shri V. S.
Virbhadra Singh, Shri
Vyas, Shri Girdhari Lal
Wagh, Dr. Pratap
Wasnik, Shri Balkrishna Ramchandra
Yadav, Shri Ram Singh
Yadav, Shri Subhash Chandra
Yusuf, Shri Mohmed
Zail Singh, Shri
Zainul Basher, Shri

NOES

Acharia, Shri Basudeb
Balan, Shri A. K.
Balanandan, Shri E.
Barman, Shri Palas
Basu, Shri Chitta
Bhattacharyya, Shri Sushil
Biswas, Shri Ajoy
Chakraborty, Shri Satyasadhan
Chatterjee, Shri Somnath
Chaturbhuj, Shri
Chaudhri, Shri Tridib
Choudhury, Shri Saifuddin
Das, Shri R. P.
Ghosh, Shri Niren

Gosh Goswami, Shrimati Bibha
Giri, Shri Sudhir
Gopalan, Shrimati Suseela
Halder, Shri Krishna Chandra
Hannan Mollah, Shri
Hasda, Shri Matilal
Horo, Shri N. E.
Imbichibava, Shri E. K.
Jatiya Shri Satyanarayan
Jha, Shri Bhogendra
Kodiyan, Shri P. K.
Lawrence, Shri M. M.
Madhukar, Shri Kamla Mishra
Mahata, Shri Chitta
Maltra, Shri Sunil
Mandal, Shri Mukunda
Mandal, Shri Sanat Kumar
Masudal Hossain, Shri Syed
Mehta, Prof. Ajit Kumar
Mhalgi, Shri R. K.
Misra, Shri Satyagopal
Modak, Shri Bijoy
Mohammed Ismail, Shri
Mukherjee, Shrimati Geeta
Mukherjee, Shri Samar
Muttemwar, Shri Vilas
Pal, Prof. Rup Chand
Parulekar, Shri Bapusaheb
Rai, Shri M. Ramanna
Rajan, Shri K. A.
Riyan, Shri Baju Ban
Roy, Dr Saradish
Roy Pradhan, Shri Amar
Saha, Shri Ajit Kumar
Saha, Shri Gadadhar
Sen, Shri Subodh
††Shaktawat, Prof. Nirmala Kumari
Shakya, Shri Daya Ram
Shastri, Shri Ramavatar
Shejwalkar, Shri N. K.
Suraj Bhan, Shri
Surya Narayan Singh, Shri

Tirkey, Shri Pius
Unnikrishnan, Shri K. P.
Varma, Shri Ravindra
Varma, Shri R. L. P.
Yadav, Shri Vijay Kumar
Zainal Abedin, Shri

MR. DEPUTY-SPEAKER: Subject to correction the result* of the division is: Ayes 192; Noes 62.

The motion was adopted.

MR. DEPUTY-SPEAKER: We will now take up clause-by-clause consideration of the Bill. Now, I find that there are a number of identical amendments. In such cases, if the first amendment is moved, the subsequent identical amendments will not be treated as moved. Now, I go to the amendments to clause 2.

Clause 2—(Definitions)

SHRI CHITA BASU: I beg to move:

Page 1 to 3,—

for lines 20 to 24, 1 to 50 and 1 to 19, respectively,

substitute

'(a) "public utility services" means—the services as defined by the Industrial Disputes Act, 1947.' (9)

Page 1, line 20 and wherever they occur in the Bill.—

for "essential service."

substitute "public utility service" (10)

(Interruptions)

MR. DEPUTY-SPEAKER: Please sit down. I have to ask all the people. I have to ask all the Members for Clause 2. I have not asked you to speak, Mr.

Chitta Basu. I asked you only whether you were moving. Now Amendment No. 23, Mr. M. Ramanna Rai.

SHRI M. RAMANNA RAI: I beg to move.

Page 3,—

omit lines 15 and 16. (23)

SHRI MUKUNDA MANDAL: I beg to move:

Page 2, lines 21 to 23,—

for "pertaining to a scheduled industry on the working of which the safety of such undertaking or the employees employed therein depends"

substitute "coming under the purview of List I of the Seventh Schedule of Constitution" (52)

SHRI SUNIL MAITRA. I beg to move:

Page 1 to 3,—

for lines 21 to 24, 1 to 50 and 1 to 9, respectively

Substitute—"any service connected with defence at the time of war" (66)

Page 3, line 14.—

After "assigned" Insert "on unjustified ground" (67)

Page 3, line 14,—

Omit "and includes—" (68)

Page 3,—

Omit lines 15 to 19. (69)

SHRI KRISHNA CHANDRA HALDER: I beg to move:

*The following Members also received their votes:

AYES: Sarvashri B. Shankaranand, Brajamohan Mohanty, Seth Hembrom, Ramayan, Rai, Bheravadan K. Gadhavi, Ashok Gehlot, R. Muthu Kumaran, Manphool Singh Chaudhary, Shrimati Vidya wati Chaturvedi and Prof. Nirmala Kumari Shaktawat.

NOES: Shri A. K. Roy and Shri Ajit Bag.

Page 1 to 3,—

omit lines 19 to 24, 1 to 50 and 1 to 33, respectively. (112)

SHRI SATYANARAYAN JATIYA: I beg to move:

Page 2,—

for lines 45 and 50, substitute—
(xvi) any service in connection with the affairs of the Union."
(120)

Page 3, line 15,—

(i) omit "overtime"

(ii) omit "such" (121)

Page 3, line 17,—

omit "any other" (122)

SHRI AJIT KUMAR SAHA: I beg to move:

Page 3 line 14,—

After "assigned" Insert—

"if such cessation or refusal is otherwise not justified in the facts and circumstances of the case" (134)

Page 3, for lines 27 to 30,—

Substitute "and shall become operative only if the same is approved by each House of Parliament by three-fourth majority of the Members of each House."
(137)

SHRI SOMNATH CHATTERJEE: I beg to move:

Pages 1 to 3,—

for lines 21 to 24, 1 to 50 and 1 to 9, respectively,

Substitute—"any service connected with the armed forces of union or connected with defence, if there has been a proclamation of emergency under article 352 of the Constitution on the ground of war or external aggression." (144)

SHRI SUDHIR KUMAR GIRI: I beg to move:

Pages 1 and 2,—

omit lines 21 to 24 and 1 and 2 respectively. (199)

Page 2, line, 7,—

After "1971" insert "only during the Emergency so proclaimed;" (200)

Page 2,—

omit lines 8 to 13. (201)

Page 2,—

omit lines 20 to 42. (202)

Page 2, line 45,—

add at the end— "connected with the defence" (203)

Page 2,—

omit lines 46 to 50, (204)

Page 3,—

omit lines 1 to 9, (205)

Page 3,—

omit lines 15 to 22. (207)

SHRI SAIFUDDIN CHOUDHARY: I beg to move:

Page 3,—

FOR lines 10 to 19,

Substitute—" (b) "strike" means fundamental right of the workers to cease work in face of economic and political attack by any employer or authority concerned." (221)

SHRI HANNAN MOLLAH: I beg to move:

Page 3, line 15,—

After "refusal to work" insert—
"without reason" (236)

SHRI AMAR ROY PRADHAN: I beg to move:

Page 3, lines 14 to 19,—

omit—"and includes—

(i) refusal to work overtime where such work is necessary

[Shri Amar Roy Pradhan]

for the maintenance of any essential service;

(ii) any other conduct which is likely to result in, or results in, cessation or substantial retardation of work in any essential service;" (286)

SHRI SATYGOPAL MISRA: I beg to move:

Page 1, line 20,—

After "Means" insert "employer or management of" (296)

Page 3, line 10,—

After "work" insert "without any ground" (297)

Page 3, line 15,—

After "overtime" insert—"without giving any reason" (298)

Page 3, line 17,—

For "any" substitute "no" (299)

SHRI CHITTA MAHATA: I beg to move:

Page 3, line 14,—

omit "and includes—" (319)

SHRI JAMILUR REHMAN: I am not moving the Amendment No. 326.

SHRI K. P. UNNIKRIISHNAN: I beg to move:

Pages 1 to 3,—

For lines 20 to 24, 1 to 50 and 1 to 9, respectively,—

Substitute—"(a) "public utility services shall mean the utility services defined under the Industrial Disputes Act of 1947." (331)

SHRI BHIKU RAM JAIN: I beg to move:

Page 3,—

After lines 9, insert—

"(xviii) any service in any university educational institution, college or school;

(xix) any service no hotels, guest houses and similar such places

where mostly the foreign tourists stay;

(xx) any service in dhaba and eating houses where people take their meals;

(xxi) any service in Food Corporation of India from where food articles are distributed for the public distribution system, cooperative stores and ration shops." (345)

SHRI RAVINDRA VERMA: I beg to move:

Pages 1 to 3,—

For lines 20 to 24, 1 to 50 and 1 to 9, respectively,—

Substitute—"(a) "essential service" means the services listed under section 2(a) and the First Schedule of the Industrial Disputes Act, 1947; (350)

Page 3,—

For lines 10 to 22,—

Substitute—"(b) the words "strike lockout" and "lay off" and other words and expressions used in sections 3, 4, 6, 7, 8 and 9 and not defined but defined in the Industrial Disputes Act, 1947 shall have the meanings respectively assigned to them in that Act." (351)

SHRI A. K. ROY: I beg to move:

Page 1 to 3,—

For lines 20 to 24, 1 to 50 and 1 to 9, respectively,—

Substitute—"(a) "essential services means those services in public life essential for normal work of the community but not covered under the Industrial Disputes Act, 1947." (380)

Page 3,—

For lines 10 to 19,—Substitute—

(b) "strike" means the cessation of work by a body of persons while in employment in essential service of any such work as defined in the Industrial Disputes Act, 1947; (381)

SHRI E. BALANANDAN: I beg to move:

Pages 1 to 3,—

For lines 20 to 24, 1 to 50 and 1 to 9, respectively,—

Substitute—(a) "essential services" means—

1. all services directly connected with the running of hospitals;

2. fire brigades —operational services;

3. drinking water supply —operational services;

4. milk supply—operational services;

5. ration shops of the food and supplies department;

6. druggist and chemists stores; (407)

Page 3.—

For lines 10 to 19,—

Substitute—(b) "strike" means cessation of work by a body of persons employed in an industry acting in combination, or a concerted refusal or a refusal under a common understanding, or any number of persons who are or have been so employed to continue to work or to accept employment.' (408)

Page 3.—

omit lines 23 to 37 (409)

SHRI JAGDISH TYTLER: I am not moving Amendment No. 432.

SHRI VIJAY KUMAR YADAV: I beg to move:

Page 3, line 10.—

After "cessation of work" Insert
"without resorting to any other means of collective bargaining" (438)

Page 3,—

omit lines 23 to 33. (441)

SHRI AJOY BISWAS: I beg to move:

Page 1, lines 20,—

After "means" insert "management of" (484)

MR. DEPUTY-SPEAKER: Mr. Chitta Basu, you have already spoken at the other stage. You must all co-operate.

SHRI CHITTA BASU (Barasat): On this issue, there cannot be cooperation.

MR. DEPUTY-SPEAKER: You read the amendment, it is sufficient.

SHRI CHITTA BASU: My amendment concerns clause 2 which concerns the definition. I think the House will agree that the definition of essential services covers a wide area. Under the definition, all industries can be brought within the mischief of this Bill.

As a matter of fact, this strike of the entire working class can be declared illegal by the provisions of the Bill. Even refusal to work over-time has been included also in the definition of a strike. A more mischievous thing is any other contract which is likely to result in cessation or retardation of substantial work in an essential service. It covers every service under the Essential Commodities Act. It also includes the definition of the strike. The definition of strike is very wide. Even refusal to work overtime is also to be defined as a strike. Not only that, any conduct of the workmen which retards, in any way, the production is also to be taken to be a strike. Therefore, the objective of the Bill is to declare strike illegal probably in wide areas. No workman shall be allowed to have a strike. This is the major objective of the definition. This is a wide ranging definition. Mr. Stephen, the hon. Minister, said in the morning that the Industrial Disputes Act still remains operative, I think you do not even

[Shri Chitta Basu]

disagree with it. The Industrial Disputes Act also defines essential services. But that word is public utility service. The meaning of public utility service, the scope of public utility service, the main contents of the public utility service are more or less co-terminus with essential services. Even Mr. Sukhadia was also very eloquent to say that the Industrial Disputes Act remains operative even after the enactment of this Bill. I want that the Industrial Disputes Act remains effectively operative. The Industrial Disputes Act defines public utility service which is almost equal to that of essential service.

My first amendment is that instead of "essential service" you substitute "public utility service." I have not said anything new.

The definition of the public utility service should be as defined by the Industrial Disputes Act. Therefore, instead of defining a lengthy definition, I want that the definition of the public utility service should be the definition of the essential service. I think Mr. Sukhadia would not disagree with it. Mr. Stephen should also not disagree with it and the hon. Home Minister should also not disagree with it. It is accepted in the Industrial Disputes Act. And you also want that the Industrial Disputes Act should be operative and why do you not exclude this?

MR. DEPUTY-SPEAKER: The amendment is very clear. Anybody can understand.

SHRI CHITTA BASU: I think the House will do justice to the Industrial Relations machinery and by that they will not be in a position to negate the industrial relations office which we have been able to build. I think you will commend my amendment also as a trade unionist.

MR. DEPUTY-SPEAKER: Now, there are many amendments. Of course, identical amendments are also there to his Clause No. 2. I would ask all those Members to say a few

words on the amendments. Then finally the Minister will reply. Then we will put all the amendments together. Because otherwise, it is not possible. This is a workable formula. You must kindly co-operate.

SHRI SOMNATH CHATTERJEE (Jadavpur): Since it is coming from you, we shall very seriously, sympathetically and favourably consider.

MR. DEPUTY-SPEAKER: Mr. Ramanna Rai.

SHRI RAMANNA RAI (Kasaragod): My amendment is....

MR. DEPUTY-SPEAKER: You read your amendment. If the people do not understand then you speak.

SHRI RAMANNA RAI: My amendment (No. 23) is for the deletion of lines 15 to 16 in Clause 2, on page 3, of the Bill.

MR. DEPUTY-SPEAKER: Very good amendment. I understand it very well.

SHRI SOMNATH CHATTERJEE: Please do not throttle us. We shall co-operate.

SHRI RAMANNA RAI: It reads like this:

The line "refusal to work overtime where such work is necessary for the maintenance of any essential service."

Now, we know this overtime is, after a worker has done his regular work, then he is expected to do extra work. Suppose after completing eight or seven hours of work if the worker falls ill, the worker should not be compelled to do further work. I can understand that if the worker refuses to work without any proper reason then at least he can be compelled to do work. But some exemption should be there. In this case there is no choice for the worker. Even if he is ill, if he is about to die, he should work. I suggest that it should be deleted.

MR. DEPUTY-SPEAKER: Amendment No. 52. Mr. Mukunda Mandal.

SHRI MUKUNDA MANDAL (Ma thurapur): Industrial Relations is basically a State subject.

MR. DEPUTY-SPEAKER: What is your amendment?

SHRI MUKUNDA MANDAL: On page 2, lines 21 to 23 for "pertaining to a scheduled industry on the working of which the safety of such undertaking or the employees employed therein depends" substitute "coming under the purview of List I of the Seventh Schedule of Constitution".

MR. DEPUTY-SPEAKER: This is a simple amendment. Because it is simple everybody understands very well.

SHRI MUKUNDA MANDAL: Industrial relations is basically a State subject and deliberately they are trying to interfere in a State subject. In the Seventh Schedule to the Constitution, Industry has been included in the State list, industries which will come under the jurisdiction of the Central Government. In Article 246 of the Constitution it is said that union list includes "industries declared by Parliament by law to be necessary for the purpose of defence or for the prosecution of war."

Again, Entry 52 of this List I includes "the industries control of which by the Union is declared by Parliament by law to be expedient in the public interest" But here, in this... I am coming to a conclusion.

19.35 hrs.

[SHRI GULSHER AHMED in the Chair] This Bill refers to the Industries (Development and Regulation) Act. A list of different types of industries has been given in the first schedule of this Act. It refers to industrial undertakings.

"Industrial undertaking means any undertaking pertaining to a schedule industry carried on in one or more factories by any person or authority, including Government."

Again it says,

"Scheduled industry means any one of the industries specified in the first schedule."

If you see the first schedule, the industries which are mentioned are metallurgical industries, fuels, prime movers, electrical equipments, earth-moving machinery, household appliances, rubber goods, leather, glass, timber products etc. etc. All of these industries do not come within the purview of the Central Government. Now they are trying to include all these industries under this new Bill. This is how they are deliberately interfering in the rights of the States. That is why I have given this amendment and I request the hon. Minister to accept the amendment.

SHRI SUNIL MAITRA (Calcutta North East): Sir, I have said in my amendment:

Page 1 to 3, forlines 21 to 24, 1 to 50 and 1 to 9, respectively substitute "any service" connected with defence at the time of war".

Under this Bill, every service has been defined as an essential service. Banning of strikes in essential services under this Bill means a blanket ban on strikes in every industry. That is why my simple amendment is that essential service should mean any service connected with defence at the time of war. Government may come with some sort of legislation only at the time of war. Otherwise, such legislation is unwarranted and it is a direct attack on the rights of the working class. I hope my amendment would be accepted by the Government.

SHRI KRISHNA CHANDRA HALDER (Durgapur): Sir, my amendment reads thus:

Page 1 to 3, omit lines 19 to 24, 1 to 50 and 1 to 33 respectively.

In clause 2(1)(viii) it is said that essential service means any service in any section of any industrial undertaking pertaining to a scheduled industry, etc. The Explanation says:

"For the purposes of this sub-clause, the expressions 'industrial undertaking' and 'scheduled industry' shall have the meanings res-

[Shri Krishna Chandra Halder]

pectively assigned to them in clauses (d) and (i) of section 3 of the Industries (Development and Regulation) Act, 1951."

They have also mentioned in clause 2 steel, coal, rail, airlines, post and telegraphs and so on.

You know that in the Industrial (Development and Regulation) Act, 1951 First Schedule, all the industries are covered:

"1. Metallurgical Industries

A. Ferrous

1. Iron and steel (metal), etc.

B. Non-ferrous

Precious metals, etc.

2. Fuels...."

SHRI SOMNATH CHATTERJEE: Who will reply to this? The Home Minister is not here. The Minister of State is also not here.

MR. CHAIRMAN: Mr. Stephen is here he will reply.

SHRI SOMNATH CHATTERJEE: He is not the Minister Incharge of the Bill. He has simply participated in it as a Member.

MR. CHAIRMAN: The Minister has gone to ease himself.

SHRI SOMNATH CHATTERJEE: Let the Minister of State be here. There are two State Ministers. Ministers are theoretically expected to be here.

MR. CHAIRMAN: Do you not want him to go to the bathroom even?

SHRI INDRAJIT GUPTA (Basirhat): Both of them should not go at the same time.

SHRI SOMNATH CHATTERJEE: They are acting in great unison.

SHRI KRISHNA CHANDRA HALDER: "3. Boilers and steam generating Plants.

4. Prime Movers (other than electrical generators)

5. Electrical equipment.

6. Telecommunications

7. Transportation

8. Industrial machinery." This covers everything under the sun.

I want most of the clause 2, from the beginning of clause 2 upto page 3 line 33 to be omitted or deleted. We feel that the Essential Services Maintenance Bill is obnoxious draconian, anti-working class and anti-national. That is why I have brought this amendment. As other hon. Members have said, if any worker refuses to work overtime or if there is no proper power supply to the unit and because of that the production is not upto the mark, then the Government and the Employee may accuse the workers that they are retarding production. So, they will be arrested under the Essential Services Maintenance Act. That is why I have brought this amendment. I hope Government would accept my amendment.

श्री सत्यनारायण शर्मा (उज्जैन): गृह-मन्त्री जी, मैंने तीन अमेन्डमेंट्स संख्या 120, 121 तथा 122 प्रस्तुत किये हैं। अमेन्डमेंट संख्या 120 में मैंने प्रस्तावित किया है कि एक्ट 3, पैरिस 9-10 के स्थान पर एम्प्लॉयमेंट प्रोविजन किया जाय—

"एम्प्लॉय के कार्यकर्ता के सम्बन्ध में कोई कार्य"

जिस रूप में इस को प्रस्तावित किया गया है, वह व्यावहारिक नहीं है, इसी लिए मैंने कहा है कि उन प्रश्नों को हटा देना चाहिए। इस का विचारणीय पहलू यह है कि अगर कोई बाबर-टाइम करना न चाहे, जितना हमारा काम करने के लिए मजदूर निर्धारित है, काम के समय के बाद काम करना—यह उसकी मजदूरी नहीं होगी चाहिए। यह ठीक है कि बाबर टाइम करने के बाद उस का 'बाबर टाइम' का पैसा मिलना होगा, किन्तु पैसा ही सब कुछ नहीं है उस के स्वास्थ्य का, पारिवारिक स्थिति का, उस को सुविधा का भी दृष्टि में रक्ता चाहिए, इसी लिए मैंने संशोधन दिया है ताकि उस को व्यावहारिक बनाया जा सके।

समाप्त महोदय: अब समाप्त कीजिए।

श्री सत्यनारायण शर्मा : अभी तो मैंने अपने पहले संशोधन के बारे में कहा है जिस में सरकार के प्राधान्य में एक व्यक्ति की स्वतन्त्रता को प्रतिबन्धित करने का प्रयास

किया गया है, जो अमानवीय है।' येरे दूसरे संशोधन में "वित्तीय" शब्द का लोप करने का प्रस्ताव किया गया है तथा तीसरे संशोधन में "ऐसा कोई अन्य आचरण" शब्दों का लोप करने का प्रस्ताव किया गया है। अन्य आचरण की इस में कोई 'डिफिनीशन' नहीं है, इस को 'डिफाइन्' किया जाना चाहिए। ऐसा कान सा आचरण होगा जो आपको दृष्टि में विरोध करने वाला होगा। इस लिये इस अन्य आचरण शब्द का यहाँ कहना ठीक नहीं है।

SHRI AJIT KUMAR SAHA (Vishnupur): By my amendment No. 133, I am suggesting that on page 1, line 13, "four years" may be substituted by "four months", because four years is a very long time. I suggest that my amendment may be accepted.

I think this Bill is obnoxious and draconian; it is anti-people and anti-working class. So, I hope the Home Minister will accept my simple amendment.

SHRI R. P. DAS (Krishnagar): My first amendment is, on page 1, line 13, for "four years" "four months" may be substituted, because the period is very long.

My second amendment is, on page 3, line 14, after "assigned" insert the words "if such cessation or refusal is otherwise not justified in the facts and circumstances of the case".

By my third amendment, I want to omit the words "and includes" in line 14 on page 3.

By the next amendment I want to omit lines 15 to 19 on page 3, because they do not carry any meaning.

By my last amendment I want to substitute the words

"and shall become operative only if the same is approved by each House of Parliament by three-fourth majority of the Members of each House"

for lines 27 to 30 on page 3

SHRI A. K. ROY (Dhanbad): Sir, we have given notice of amendments,

expecting some pointed reply from the Minister. Somebody must note down what the hon. Members have to say.

MR. CHAIRMAN: Two of them are present here.

SHRI A. K. ROY: But they are not listening, or noting down anything.

Then how can they reply to the points?

SHRI SOMNATH CHATTERJEE (Jadavpur): So far as clause 2 is concerned, which is the most important clause which defines what would be "an essential service" we have made our submission. It includes almost all services as essential services. The ambit is so wide that no service with which the Central Government, or the Union List, or Parliament have anything to do is kept out of it; all are included there. Therefore, this is a blanket power. Shri Sukhadia was talking about problems, possible problems, or apprehended problems, in the defence industries. We have suggested in our amendment defence or undertakings connected with defence, or armed forces of the Union, or any service which require some protection when an emergency is there, or war or threat of external aggression. You will not agree to it because you want more and more powers; you cannot survive without having more powers. Have it, have only with regard to that. Let us test your bonafides.

Sir, kindly remember that whenever there has been actual emergency in this country, not like the 1975 hoax emergency, but whenever there has been an actual emergency in this country, this House has unanimously supported the proclamations of Emergency. Mr. Sukhadia as Chief Minister may have known, or by that time he had been pushed over as Governor, I do not remember. This House has unanimously passed the proclamations and I remember our Dhillon Sahab sitting on this Chair said that he was proud to be the Speaker of the House which had, in the days of grave emergency, unanimously responded and sup-

[Shri Somnath Chatterjee]

ported the Proclamation of Emergency and even that day on which the Defence of India Act was passed unanimously, the workers of this country donated blood for the Prime Minister's Defence Fund. They sold their blood. Not only they spent their blood, but they gave their sweat and toil. For the purpose of more production they actually donated the blood which was converted into money and donated to the National Defence Fund of India. This is the tradition of the working class in this country. It has never failed when the country's true interest has been at stake. And this is the return you are giving! Therefore, we are suggesting that if you really have to have such control, such provisions as banning strikes, agitations, movements etc. etc. should not be there where they will be at the risk of going to jail on any pretext. Some manager will say, 'there is stoppage of work', then they may go to jail. Therefore, let us test their bona fides.

The other amendment is also important and so I will take one minute.

Sir, the honourable Member, Mr. Bhagat—I am happy to find him here—said that there may be legitimate strike. My amendment is that if there is a strike on justified ground, the Supreme Court has held that there may be strike on justified ground for which the workers, even if they are on strike, are entitled to their pay and the employer is not entitled to impose a wage cut. Therefore, I am saying that when there is a justified strike, you cannot declare it illegal, you cannot ban a justified strike. Therefore, if the Government is at all sincere about the proper implementation of this Bill, I am asking for these two amendments. Kindly do not apply this black law for which you can find opposition, you can find the mood of the people who are going to be affected by this. Therefore, we are saying, do not apply it to a justified strike. If you want to decide yourself, keep a machinery to decide about the justification of strike, apply it to Defence matters or Armed Forces of the Union, we do not object.

The other thing is that any order that may be passed under Section 2 with regard to the extension of the definition of Essential Service should not become law until the Parliament approves of it. You have got the majority, you can get it through. At least the Parliament will have an opportunity to discuss the merits of such extension of the definition of Essential Service. So, these are the amendments. The Government's bona fides are on test on these amendments, and I hope they will consider them favourably.

MR. CHAIRMAN: Mr. Sudhir Giri may speak on his amendment Nos. 199, 200, 201, 202, 203, 204, 205 and 207.

SHRI SUDHIR GIRI (Contai): Sir, my amendments have been printed and I think the Minister has been aware of them.

Sir, our country is passing through normal times. As far as I can remember, the Prime Minister and some other Ministers of our country have made pronouncements in some public meetings. They have said that social status of the down-trodden people has to be changed. The social system should also be changed. Even the preamble to our Constitution has been suitably amended to bring socialism. In socialism, the means of production have to be owned by the nation. If the Government is sincere in their pronouncement, I think they should allow the working class to struggle to bring about social change and to bring about change in their social status.

In the world, no nation has ever witnessed any instance in which social system has undergone change without the struggle by the working class people. If they are sincere, they should allow the working class people to struggle for the change in social system and social status.

I want to emphasise the fact that during emergency proclaimed under Article 352 of our Constitution only the Defence Services should be declared as essential service and no other service should be declared as essential service. What I mean to say is that the working class people are producing crops for the nation. They are supporting the nation. They are defending the nation. Why should Government come forward to stop the struggle by the working class people? With this end in view I have brought these amendments.

SHRI SAIFUDDIN CHOUDHURY (Katwa): In the Bill there is a big definition of strike. But I want to amend it by saying:

Page 3,—

for lines 10 to 19, substitute—

'(b) "strike" means fundamental right of the workers to cease work in face of economic and political attack by any employer or authority concerned.' (221).

I believe and every civilised person should believe that the country is made by the labour of the workers. Even the house of the Home Minister has been constructed by the labour of the workers. As a student of science we know that in the evolution from ape to man labour played a big role. As a human being we cannot tolerate attack on labour, there may be some persons who may remain in the primitive stage and dare to attack labour.

No civilised nation should take any measure to deny labour its due. We must take care of them in all respects. Why do they go on strike? They do so when they suffer loss. Some days ago we saw in the leading newspaper of India that sickness occurred in our industry.

20 hrs.

Mr. G. N. Davar, General Manager, Industrial Finance Corporation of India has given reasons for the sickness of large industrial units quoting Reserve Bank of India. It came in the Times of India dated 30th August. More than 350 large units are sick. 52 per cent of the large units are sick due to mismanagement, management deficiencies, including diversion of funds, infighting, lack of marketing strategy, etc. 14 per cent for initial faulty planning and only 2 per cent for labour trouble. Only 2 per cent of sickness is due to labour trouble.

Who are suffering? It is the common man who is suffering. It is the workers who are suffering. You are talking of mandays lost. There is no official register in this regard as to how many people are unemployed. It may be more than 5 crores of people. Today, 60,000 students marched to the Parliament House demanding jobs for all. I want to know whether the Government is sincere about it. Five crore unemployed means five crore mandays lost every day—who is to be blamed? This Government is responsible for that. They only want to attack the working class. That is why I have moved my amendment and I request the Minister to accept it.

SHRI HANNAN MOLLAH (Uluberia): My amendment is very simple. I want that after the words "refusal to work", insert the words "without reason". There may be a reason for refusal to work. A worker

[Shri Hannan Mollah]

may be ill or there may be some other reason. If there is a reason, he can have the right to refuse to work. So, I request the hon. Minister to accept this simple amendment of mine.

SHRI AMAR ROY PRADHAN: (Cooch Behar): My amendment is to omit:

"(i) refusal to work overtime where such work is necessary for the maintenance of any essential service;

(ii) any other conduct which is likely to result in, or results in, cessation or substantial retardation of work in any essential service";

There is a difference of opinion with regard to what is an essential service and what is not an essential service. You have not mentioned anywhere in Clause 2 as to what type of work you mean by "essential service".

Suppose one individual worker may be sick. What is his position? Shri Ghani Khan Chaudhuri will reply.

MR. CHAIRMAN: Yes, he can.

SHRI AMAR ROY PRADHAN: Where is the Home Minister?

The Hon. Minister should reply regarding this amendment. They are not at all serious. The House will remain adjourned at this rate. (Interruptions)

MR. CHAIRMAN: You have covered your point.

SHRI AMAR ROY PRADHAN: I would like to request the Hon. Minister once again that he should at least accept my amendment.

MR. CHAIRMAN: Shri Satyagopal Misra.

SHRI SATYAGOPAL MISRA: (Tamluk): I have given so many amendments. I would like to emphasise on three points.

The first point is that the employees refuse to work overtime because of genuine grounds. There may be genuine ground for any worker for the refusal to work. His mother or his children may be sick. There should be human consideration.

The second point is that the genuine grounds on which a worker can refuse to work overtime should also be mentioned and included in the Bill.

The third point is that in the essential services many times there may be mismanagement of the employer or the manager. Here I would like to include some steps to be taken for the management or the employer of any essential service to maintain the services properly.

MR. CHAIRMAN: Shri Chitta Mahata.

SHRI CHITTA MAHATA (Puru-lia): I request you to consider the amendment because when any worker has urgent business at home and has family troubles or other sickness etc., then he should not be forced to work overtime. Therefore, I request you to consider my amendment and delete the portion.

MR. CHAIRMAN: Shri K. P. Unikrishnan—Absent

Shri Bhiku Ram Jain—Absent.
Shri Ravindra Varma.

SHRI RAVINDRA VARMA (Bombay North): I do not want to make along with speech. It is that clear the definition of strike has been enlarged in this Bill. In the absence of any agreed norms, it is obvious that the provisions of this Clause may be invoked to create a situation in which anything might be construed or described as reducing or retarding production. And coupled with other Clauses dealing with penalties, this

might lead to a situation in which, on the suspicion that something has been done or not done which may retard production workers may be subjected to the penalties of this Bill. Therefore, I oppose this Bill and support the amendment that I have moved.

SHRI A. K. ROY (Dhanbad): My two amendments aim at clearing the jurisdiction of the Industrial Disputes Act and the present enactment. Only in November, 1980, while giving judgment on an LIC case, the Supreme Court has clearly said that the Industrial Disputes Act is the basic Act; no other Act, the LIC Act or any other Act, can override the Industrial Disputes Act. Here what he has done, while hurriedly drafting this Bill, is that he has not demarcated the jurisdiction. He could have amended the Industrial Disputes Act or in an one-line Bill he could have said that 'the Industrial Disputes Act, 1947 is hereby repealed'; that would have ended the Industrial Disputes Act. But he has kept the Industrial Disputes Act and the Assam Essential Services Maintenance Act and he has introduced this Bill also. That is why, I have suggested that that portion of the public utility service which is covered by the Industrial Disputes Act should be excluded, and only those services covered under article 309 of the Indian Constitution—even among those, only the essential part—should be kept, so that the demarcation would be very clear.

Secondly, in the definition of 'strike' by no stretch of imagination and under no rule, can a man be forced to do overtime. The very term 'overtime' means that it is left to the convenience of the person to do or not to do. You cannot force a person to do overtime unless and until you are having some emergency situation. This law is not meant only for an emergency situation. That is why I say that the word 'strike' should follow strictly the definition given in the Industrial Disputes Act. The essen-

tial services covered by the Industrial Disputes Act should be excluded. Then the jurisdiction would be very clear.

SHRI E. BALANANDAN (Mukundapuram): Sir, my amendments are 407, 408 and 409. I am not going to make a long lecture on these.

My friends on that side have been saying day in and day out that the production has been increased after their Government came to power. Who has increased the production? Have the Ministers or Members of Parliament increased the production? No. it is the working class of this country which has increased the production and for that, is this what you are doing for them? The working class is taken as enemies and they are legislating to punish them. Is this approach correct? I do not want to make any other point I would only say that the workers of the country have increased the production and for that, they are being taken to task by this Government. This is wrong.

With regard to essential service, we were having the understanding that it is some service which is quite essential. But according to the definition given in the Bill, anything under the sun can be made essential—whatever the Minister or somebody may think as essential. No precise or definite definition has been given. Mr. Stephen was very eloquent on essential service. I only ask them to keep only whatever is essential. My amendment seeks to restrict that. I would request the hon. Minister to accept my suggestion.

श्री विजय कुमार यादव (नालन्दा) : सभापति महोदय, सरकार जिन सेवाओं में स्ट्राइक पर प्रतिबन्ध लगाना चाहती है, उनकी एक लम्बी सूची क्लाज 2 में दी गई है। लेकिन इस लम्बी सूची के बाद एक जनरल क्लाज जोड़ दी गई है, जिसके अनुसार कोई ऐसी सेवा नहीं है, जो इस कानून के अन्तर्गत नहीं जाती है। इस से सरकार की निबन्ध

स्पष्ट है कि वह स्ट्राइक्स पर टोटल बैन लगाना चाहती है, चाहे मजदूर किसी भी सेवा में काम करते हों। इस मजदूर-विरोधी प्रावधान को हटा देने के लिए मैंने यह संशोधन रखा है।

सरकारी पक्ष की ओर से श्री स्टीफन जोर कुछ माननीय सदस्यों ने कहा कि वे मजदूरों को कुछ अधिकार देना चाहते हैं कि वे अपनी समस्याओं के बारे में एजीटेट कर सकें। जैसे, खुद होम मिनिस्टर ने कहा कि मजदूर अपनी समस्याओं को ले कर एजीटेट करने के लिए बैज लगा सकते हैं। इस क्लॉज में हड़ताल की जो परिभाषा दी गई है, उसके अनुसार अगर मजदूर कंटीक्टिव वार्नेनिंग के सब मध्यम अवधिबार करने के बाद भी हड़ताल करेंगे, तब भी वह हड़ताल इस कानून के अन्तर्गत आ जायेगी। मेरे संशोधन का अभिप्राय यह है कि अगर मजदूरों द्वारा बैज लगाने, डिमांडेशन करने, नोर्गोएक्शन करने और सरकार को अपनी मांगों पर सोचने तथा विचारने का मौका देने के बाद भी इन सब मध्यम को एजाय करने के बाद भी-सरकार नहीं मानती है, और मजदूरों के सामने कोई दूसरा उपाय नहीं रह जाता है, उन पर हड़ताल थोप दी जाती है और वे हड़ताल करते हैं, तब उस हड़ताल पर यह कानून लागू नहीं होना चाहिए।

SHRI AJOY BISWAS (Tripura West): My amendment is concerned with the definition and overtime. Mr. Stephen was telling....

MR. CHAIRMAN: You speak about your amendment.

SHRI AJOY BISWAS: The ILO decided in 1980 that the Government employees also will enjoy the trade union right to strike. The Government of India is a party to that decision but after coming here to India....

MR. CHAIRMAN: Forget about the past. What is your amendment?

SHRI AJOY BISWAS: They are asking what we shall do if we are in power. Sir, I may tell you that we are in power in West Bengal and Tripura. The West Bengal Government have

extended the trade union right to strike to the Government employees. The Tripura Government also have extended the trade union right to strike to the Government employees. So we are defending the democracy.

Sir, we are defending the interests of the workers. You are actually curtailing the rights of the workers.

That was why I moved the amendments.

MR. CHAIRMAN: Now, the hon. Minister.

यह मंत्री (श्री जैन सिंह): सभापति महोदय, मैं सब कुछ कह चुका हूँ। मैं प्रसन्न हूँ उन सदस्यों का जिन्होंने इस बिल पर अपना ध्यान दिया, अपने विचार रखे और उन के बमोडमेट्स को भी मैं ने पढ़ा। जो बोलते हैं उन को गौर से मैं ने सुना भी। लेकिन ये बमोडमेट्स मंजूर करने के काबिल नहीं हैं। इसलिए मैं चाहता हूँ कि इन बमोडमेट्स को वे वापस ले लें। जिस सिद्धान्त के लिए, जिस निश्चान के लिए यह बिल बनाया गया है उस के साथ ये मत नहीं खाने हैं। इसलिए वापस ले लें तो बेहतर-बानी है।

MR. CHAIRMAN: If you all agree, may I put all the amendments together?

SHRI A. K. ROY: No, no. At least let my amendment Nos. 380 and 381 be put separately.

MR. CHAIRMAN: Let the Lobbies be cleared—The Lobbies have been cleared.

The question is:

Pages 1 to 3,—

for lines 20 to 24, 1 to 50 and 1 to 9, respectively,—

substitute—

“(a) “essential service” means those services in public life essential for normal work of the community but not covered under the In-

Industrial Disputes Act, 1947; (380).
Page 3,—...

for lines 10 to 19, substitute—

'(b) "strike" means the cessation of work by a body of persons while in employment in essential service or any such work as defined in the Industrial Disputes Act, 1947'; (381)

The Lok Sabha divided.

AYES

Division No. 17] [20.26 hrs.

Acharia, Shri Basudeb
Balan, Shri A. K.
Balanandan, Shri E.
Barman, Shri Palas
Basu, Shri Chitta
Bhattacharyya, Shri Sushil
Biswas, Shri Ajoy
Chakraborty, Shri Satyasadhan
Chatterjee, Shri Somnath
Chaudhuri, Shri Tridib
Choudhury, Shri Saifuddin
Das, Shri R. P.
Ghosh, Shri Niren
Ghosh Goswami, Shrimati Bibha
Giri, Shri Sudhir
Gopalan, Shrimati Suseela
Gupta, Shri Indrajit
Halder, Shri Krishna Chandra
Hannan Mollah, Shri
Hasda, Shri Matilal
Horo Shri N. E.
Imbichibava, Shri E. K.
Jatiya, Shri Satyanarayan
Kodiyar, Shri P. K.
Lawrence, Shri M. M.
Madhukar, Shri Kamla Mishra
Mahata, Shri Chitta
Maitra, Shri Sunil
Mandal, Shri Mukunda
Mandal, Shri Sanat Kumar
Masudal Hossain, Shri Syed
Mhalgi, Shri R. K.

Misra, Shri Satyagopal
Modak, Shri Bijoy
Mohammed Ismail, Shri
Mukherjee, Shrimati Geeta
Mukherjee, Shri Samar
Parulekar, Shri Bapusaheb
Pathak, Shri Ananda
Rai, Shri Ramanna

Riyan, Shri Baju Ban
Roy, Dr. Saradish
Roy Pradhan, Shri Amar
Saha, Shri Ajit Kumar
Saha, Shri Gadadhar
Samimuddin, Shri
Sen, Shri Subodh
Shastri, Shri Ramavatar
Shejwalkar, Shri N. K.
Suraj Bhan, Shri
Surya Narayan Singh, Shri
Trikey, Shri Pius
Unnikrishnan, Shri K. P.
Vajpayee, Shri Atal Bihari
Varma, Shri Ravindra
Yadav, Shri Vijay Kumar
Zainal Abedin, Shri

NOES

Ahmed, Shri Kamaluddin
Anand Singh, Shri
Ankineedu Prasad Rao, Shri P.
Anuragi, Shri Godil Prasad
Appalanaidu, Shri S. R. A. S.
Azad, Shri Bhagwat Jha
Baita, Shri D. L.
Bajpai, Dr. Rajendra Kumari
Baleshwar Ram, Shri
Bansi Lal, Shri
Barot, Shri Maganbhai

Barway, Shri J. C.
 Behera, Shri Rasabehari
 Bhagat, Shri H. K. L.
 Bhagwan Dev, Acharya
 Bhakta, Shri Manoranjan
 Bhol, Dr. Krupasindhu
 Bhole, Shri R. R.
 Bhuria, Shri Dileep Singh
 Brar, Shrimati Gurbinder Kaur
 Brijendra Pal Singh, Shri
 Chakradhari Singh, Shri
 Chandra Shekhar Singh, Shri
 Chandrashekharaappa, Shri T. V.
 Chaturvedi, Shrimati Vidyawati
 Chaudhary, Shri Manphool Singh
 Chennupati, Shrimati Vidya
 Chingwang Konyak, Shri
 Choudhury, Shri A. B. A. Ghani Khan
 Daga, Shri Mool Chand
 Dalbir Singh, Shri
 Das, Shri A. C.
 Dennis, Shri N.
 Dev, Shri Sontosh Mohan
 Dhandapani, Shri C. T.
 Era Anbarasu, Shri
 Fernandes, Shri Oscar
 Gadgil, Shri V. N.
 Gaikwad, Shri Udaysingrao
 Gandhi, Shri Rajiv
 Gehlot, Shri Ashok
 Gireraaj Singh, Shri
 Gomango, Shri Giridhar
 Gowda, Shri D. M. Putte
 Hembrom, Shri Seth
 Jain, Shri Bhiku Ram
 Jain, Shri Virdhi Chander
 Jamilur Rahman, Shri
 Jena, Shri Chintamani
 Jha, Shri Kamal Nath
 Kamal Nath, Shri
 Kamla Kumari, Kumari
 Karma, Shri Laxman
 Kaushal, Shri Jagan Nath

Khan, Shri Zulfikar Ali
 Kidwai, Shrimati Mohsina
 Kosalram, Shri K. T.
 Krishna, Shri S. M.
 Krishna Pratap Singh, Shri
 Kuchan, Shri Gangadhar S
 Kunwar Ram, Shri
 Kusuma Krishna Murthy, Shri
 Lakkappa, Shri K.
 Laskar, Shri Nihar Rajan
 Madhuri Singh, Shrimati
 Mahendra Prasad, Shri
 Mallick, Shri Lakshman
 Mallu, Shri Anantha Ramulu
 Meena, Shri Ram Kumar
 Mishra, Shri Gargi Shankar
 Mishra, Shri Ram Nagina
 Mishra, Shri Umakant
 Misra, Shri Harinatha
 Misra, Shri Nityananda
 Mohanty, Shri Brajamohan
 Mohite, Shri Yashawantrao
 More, Shri Ramkrishna
 Murthy, Shri M. V. Chandrashekhara
 Murugian, Shri S.
 Muthu Kumaran, Shri R.
 Muttemwar, Shri Vilas
 Nagina Rai, Shri
 Naikar, Shri D. K.
 Nair, Shri B. K.
 Namgyal, Shri P.
 Narayana, Shri K. S.
 Nehru, Shri Arun Kumar
 Nikhra, Shri Rameshwar
 Oraon, Shri Kartik
 Pandey, Shri Krishna Chandra
 Panigrahi, Shri Chintamani
 Pardhi, Shri Keshworao

Parthasarathy, Shri P.
 Patil, Shri A. T.
 Patil, Shri Balasaheb Vikhe
 Patil, Shri Shivraj V.
 Patil, Shri Vijay N.
 Patnaik, Shrimati Jayanti
 Pilot, Shri Rajesh
 Poojary, Shri Janardhana
 Potdukhe, Shri Shantaram
 Pushpa Devi Singh, Kumari
 Quadri, Shri S. T.
 Rahim, Shri A. A.
 Rajamallu, Shri K.
 Raju, Shri P. V. G.
 Ram, Shri Ramswaroop
 Ramalingam, Shri N. Kudanthai
 Ramamurthy, Shri K.
 Ran Vir Singh, Shri
 Rane, Shrimati Sanyogita
 Ranga, Prof. N. G.
 Ranjit Singh, Shri
 Rao, Shrimati B. Radhabai Ananda
 Rao, Shri M. Nageswara
 Rao, Shri M. S. Sanjeevi
 Rao, Shri M. Satyanarayan
 Rathod, Shri Uttam
 Raut, Shri Bhola
 Reddy, Shri M. Ram Gopal
 Reddy, Shri P. Venkata
 Sangma, Shri P. A.
 Sathiyendran, Shri M. S. K.
 Satish Prasad Singh, Shri
 Sawant, Shri T. M.
 Selaraju, Shri N.
 Sethi, Shri Arjun
 Sethi, Shri P. C.
 Shaktawat, Prof. Nirmala Kumari
 Shankaranand, Shri B.
 Shanmugam, Shri P.

Sharma, Shri Kali Charan
 Sharma, Shri Nand Kishore
 Shastri, Shri Dharam Dass
 Shiv Shankar, Shri P.
 Shivendra Bahadur Singh, Shri
 Sidnal, Shri S. B.
 Singh, Dr. B. N.
 Singh Deo, Shri K. P.
 Sinha, Shrimati Ramdulari
 Soren, Shri Hari Har
 Soundarajan, Shri N.
 Sparrow, Shri R. S.
 Sreenivasa Prasad, Shri V.
 Stephen, Shri C. M.
 Sukhadia, Shri Mohan Lal
 Sultanpuri, Shri Krishan Dutt
 Sunder Singh, Shri
 Swami, Shri K. A.
 Tariq Anwar, Shri
 Tayyab Hussain, Shri
 Thorat, Shri Bhausahab
 Tiwari, Shri Narayan Datt
 Tytler, Shri Jagdish
 Varma, Shri Jal Ram
 Venkatasubbaiah, Shri P.
 Vijayaraghavan, Shri V. S.
 Virbhadra Singh, Shri
 Vyas, Shri Girdhari Lal
 Wagh, Dr. Pratap
 Wasnik, Shri Balkrishna Ramchandra
 Yadav, Shri Ram Singh
 Yusuf, Shri Mohamed
 Zail Singh, Shri
 Zainul Basher, Shri

MR. CHAIRMAN: Subject to correction the result* of the division is Ayes 57; Noes 165.

The motion was negatived.

* (1) The following Members also recorded their votes;

YES: Sarvashri A. K. Roy, K. A. Rajan and Ajit Bag;

NOES: Sarvshri Darur Pulliah, Ramayan Rai, G. S. Reddi Ghufuran Azam and Prof. Satya Deo Singh.

(2) The result of this division applies to amdts Nos. 380 and 381 respectively

MR. CHAIRMAN: Now, I will put all the other amendments to clause 2 to vote.

SOME HON. MEMBERS: First, let the Lobbies be cleared.

MR. CHAIRMAN: Let the Lobbies be cleared...

The Lobbies have been cleared.

The question is:

Page 1 to 3,—

for lines 20 to 24, 1 to 50 and 1 to 19, respectively,

substitute '(a) "public utility services" means—the services as defined by the Industrial Disputes Act, 1947.' (9)

Page 1, line 20 and wherever they occur in the Bill.—

for "essential service"
substitute "public utility service"
(10)

Page 3,—

omit lines 15 to 16. (23)

Page 2, lines 21 to 23,—

for "pertaining to a scheduled industry on the working of which the safety of such undertaking or the employees employed therein depends"

substitute "coming under the purview of List I of the Seventh Schedule of Constitution" (52)

Page 1 to 3,—

for lines 21 to 24, 1 to 50 and 1 to 9 respectively

substitute—"any service connected with defence at the time of war" (66)

Page 3, line 14,—

after "assigned" insert "on unjustified ground" (67)

Page 3, line 14,—

omit "and includes—" (68)

Page 3,—

omit lines 15 to 19 (69)

Page 1 to 3,—

omit lines 19 to 24, 1 to 50 and 1 to 33, respectively. (112)

Page 2,—

for lines 45 and 50, substitute—
"(xvi) any service in connection with the affairs of the Union."
(120)

Page 3, line 15,—

(i) omit "overtime"

(ii) omit "such" (121)

Page 3, line 17,—

omit "any other" (122)

Page 3, line 14,—

after "assigned" insert—

"if such cessation or refusal is otherwise not justified in the facts and circumstances of the case" (134).

Page 3, for lines 27 to 30,—

substitute "and shall become operative only if the same is approved by each House of Parliament by three-fourth majority of the Members of each House."
(137)

Page 1 to 3,—

for lines 21 to 24, 1 to 50 and 1 to 9, respectively

substitute—"any service connected with the armed forces of union or connected with defence, if there has been a proclamation of emergency under article 352 of the Constitution on the ground of war or external aggression." (144)

Pages 1 and 2,—

omit lines 21 to 24 and 1 and 2 respectively. (199)

Page 2, line 7,—

after "1971" insert "only during the Emergency so proclaimed," (200)

Page 2,—

omit lines 8 to 18. (201)

Page 2,—

omit lines 20 to 42. (202)

Page 2, line 45,—

add at the end—"connected with defence" (203)

Page 2,—

omit lines 46 to 50. (204)

Page 3,—

omit lines 1 to 9. (205)

Page 3,—

omit lines 15 to 22. (207)

Page 3,—

for lines 10 to 19, substitute—

"(b) "strike" means fundamental right of the workers to cease work in face of economic and political attack by any employer or authority concerned." (221)

Page 3, line 15,—

after "refusal to work" insert—

"without reason" (236)

Page 3, lines 14 to 19,—

omit—"and includes—

(i) refusal to work overtime where such work is necessary for the maintenance of any essential service;

(ii) any other conduct which is likely to result in, or results in, cessation or substantial retardation of work in any essential service;" (286)

Page 1, line 20,—

after "means" insert "employer or management of" (296)

Page 3, line 10,—

after "work" insert "without any ground" (297)

Page 3, line 13,—

after "overtime" insert- "without giving any reason" (298)

Page 3, line 17,—

for "any" substitute "no" (299)

Page 3, line 14,—

omit "and includes—" (319)

Pages 1 to 3,—

for lines 20 to 24, 1 to 50 and 1 to 9, respectively,

Substitute—"(a) "public utility services" shall mean the utility services defined under the Industrial Disputes Act of 1947." (331)

Page 3,—

after line 9, insert

"(xviii) any service in any University, education institution college of school;

(xix) any service up hotels, guest houses and similar such places where mostly the foreign tourists stay;

(xx) any service in dhaba and eating houses where people take their meals;

(xxi) any service in Food Corporation of India from where food articles are distributed for the public distribution system, cooperative stores and ration shops." (345)

Page 1 to 3,—

for lines 20 to 24, 1 to 50 and 1 to 9, respectively,—

substitute—"(a) "essential service means the service listed under section 2(n) and the First Schedule of the Industrial Disputes Act, 1947; (350)

Page 3,—

for lines 10 to 22,

substitute—"(b) the words "strike lockout" and "lay off" and other words and expressions used in sections 3, 4, 6, 7, 8 and 9 and not defined but defined in the Industrial Disputes Act, 1947

shall have the meanings respectively assigned to them in that Act,' (351)

Pages 1 to 3,—

for lines 20 to 24, 1 to 50 and 1 to 9, respectively,—

substitute—'(a) "essential services" means—

1. all services directly connected with the running of hospitals;
2. fire bridges—operational services;
3. drinking water supply—operational services;
4. milk supply—operational services;
5. ration shops of the food and supplies department;
6. druggist and chemists stores; (407)

Page 3,—

for lines 10 to 19,

substitute—'(b) "strike" means cessation of work by a body of persons employed in an industry acting in combination, or a concerted refuse or a refusal under a common understanding, or any number of persons who are or have been so employed to continue to work or to accept employment.' (408)

Page 3,—

omit lines 23 to 37 (409)

Page 3, line 10,—

after "cessation of work" insert

"without resorting to any other means of collective bargaining" (438)

Page 3,

omit lines 23 to 33. (441)

Page 1, line 20,

after "means" insert "management of" (484)

The Lok Sabha Divided:

AYES

Division No. 18]

[20.33 hrs.

Acharia, Shri Basudeb
 Balan, Shri A. K.
 Balanandan, Shri E.
 Barman, Shri Palas
 Basu, Shri Chitta
 Bhattacharyya, Shri Sushil
 Biswas, Shri Ajoy
 Chakraborty, Shri Satyasadhan
 Chatterjee, Shri Somnath
 Chaudhuri, Shri Tridib
 Choudhury, Shri Saifudin
 Das, Shri R. P.
 Ghosh, Shri Niren
 Ghosh Goswami, Shrimati Bibha
 Giri, Shri Sudhir
 Gopalan, Shrimati Suseela
 Gupta, Shri Indrajit
 Haider, Shri Krishna Chandra
 Hannan Mollah, Shri
 Hasda, Shri Matilal
 Horo, Shri N. E.
 Imbichibava, Shri E. K.
 Jatiya, Shri Satyanarayan
 Kadiyan, Shri P. K.
 Lawrence, Shri M. M.
 Madhukar, Shri Kamla Mishra
 Mahata, Shri Chitta
 Maitra, Shri Sunil
 Mandal, Shri Mukunda
 Mandal, Shri Sanat Kumar
 Masudal Hossain, Shri Syed
 Mhalgi, Shri R. K.
 Misra, Shri Satyagopal
 Modak, Shri Bijoy
 Mohammed Ismail, Shri
 Mukherjee, Shrimati Geeta
 Mukherjee, Shri Samar
 Pal, Prof. Rup Chand
 Parulekar, Shri Bapusaheb
 Pathak, Shri Ananda

Rai, Shri M. Ramanna
Rajan, Shri K. A.
Rajda, Shri Ratansinh
Riyan, Shri Baju Ban
Roy, Dr. Saradish
Roy Pradhan, Shri Amar
Saha, Shri Ajit Kumar
Saha, Shri Gadadhar
Sen, Shri Subodh
Shastri, Shri Ramavatar
Shejwalkar, Shri N. K.
Suraj Bhan, Shri
Surya Narayan Singh, Shri
Tirkey, Shri Pius
Unnikrishnan, Shri K. P.
Vajpayee, Shri Atal Bihari
Varma, Shri Ravindra
Yadav, Shri Vijay Kumar
Zainal Abedin, Shri

NOES

Ahmed, Shri Kamaluddin
Anand Singh, Shri
Ankineedu Prasad Rao, Shri P.
Anuragi, Shri Godil Prasad
Appalanaidu, Shri S. R. A. S.
Azad, Shri Bhagwat Jha
Azad, Shri Ghulam Nabi
Baitha, Shri D. L.
Bajpai, Dr. Rajendra Kumari
Baleshwar Ram, Shri
Bansi Lal, Shri
Barot, Shri Maganbhai
Barway, Shri J. C.
Behera, Shri Rasabehari
Bhagat, Shri H. K. L.
Bhagwan Dev, Acharya
Bhakta, Shri Manoranjan
Bhoi, Dr. Krupasindhu
Bhole, Shri R. R.
Bhuria, Shri Dileep Singh

Brar, Shrimati Gurbrinder Kaur
Brijendra Pal Singh, Shri
Chakradhari Singh, Shri
Chandra Shekhar Singh, Shri
Chandrashekhharappa, Shri T. V.
Chaturvedi, Shrimati Vidyawati
Chaudhary, Shri Manphool Singh
Chennupati, Shrimati Vidya
Chingwang Konyak, Shri
Choudhury, Shri A. B. A. Ghani Khan
Daga, Shri Mool Chand
Dalbir Singh, Shri
Das, Shri A. C.
Dennis, Shri N.
Dev, Shri Sontosh Mohan
Dhandapani, Shri C. T.
Era Anbarasu, Shri
Fernandes, Shri Oscar
Gadgil, Shri V. N.
Gaikwad, Shri Udaysingrao
Gandhi, Shri Rajiv
Gehlot, Shri Ashok
Ghufran Azam, Shri
Gireraj Singh, Shri
Gomango, Shri Giridhar
Gowda, Shri D. M. Putte
Hembrom, Shri Seth
Jaffer Sharief, Shri C. K.
Jain, Shri Bhiku Ram
Jain, Shri Virdhi Chander
Jamilur Rahman, Shri
Jena, Shri Chintamani
Jha, Shri Kamal Nath
Kamal Nath, Shri
Kamla Kumari, Kumari
Karma, Shri Laxman
Kaushal, Shri Jagan Nath
Khan, Shri Zulfiqar Ali
Kidwai, Shrimati Mohsina
Kosalram, Shri K. T.
Krishna, Shri S. M.
Krishna Pratap Singh, Shri
Kuchan, Shri Gangadhar S.

Kunwar Ram, Shri
 Kusuma Krishna Murthy, Shri
 Lakkappa, Shri K.
 Laskar, Shri Nihar Ranjan
 Madhuri Singh, Shrimati
 Mahendra Prasad, Shri
 Mallick, Shri Lakshman
 Mallikarjun, Shri
 Mallu, Shri Anantha Ramulu
 Meena, Shri Ram Kumar
 Mishra, Shri Gargi Shankar
 Mishra, Shri Ram Nagina
 Mishra, Shri Umakant
 Misra, Shri Harinatha
 Misra, Shri Nityananda
 Mohanty, Shri Brajamohan
 Mohite, Shri Yashawantrao
 More, Shri Ramkrishna
 Murthy, Shri M. V. Chandrashekhara
 Murugian, Shri S.
 Muthu Kumaran, Shri R.
 Muttemwar, Shri Vilas
 Nagina Rai, Shri
 Naikar, Shri D. K.
 Nair, Shri B. K.
 Namgyal, Shri P.
 Narayana, Shri K. S.
 Nehru, Shri Arun Kumar
 Nikhra, Shri Rameshwar
 Oraon, Shri Kartik
 Pandey, Shri Krishna Chandra
 Panigrahi, Shri Chintaman
 Pardhi, Shri Keshao Rao
 Parthasarathy, Shri P.
 Patil, Shri A. T.
 Patil, Shri Balasaheb Vikhe
 Patil, Shri Shivraj V.
 Patil, Shri Vijay N.
 Patnaik, Shrimati Jayanti
 Pilot, Shri Rajesh
 Poojary, Shri Janardhana
 Potdukhe, Shri Shantaram
 Pullalah, Shri Darur
 Pushpa Devi Singh, Kumari

Quadri, Shri S. T.
 Rahim, Shri A. A.
 Rajamallu, Shri K.
 Raju, Shri P. V. G.
 Ram, Shri Ramswaroop
 Ramalingam, Shri N. Kudanthai
 Ramamusthy, Shri K.
 Ran Vir Singh, Shri
 Rane, Shrimati Sanyogita
 Ranga, Prof. N. G.
 Ranjit Singh, Shri
 Rao, Shrimati B. Radhabai Ananda
 Rao, Shri M. Nageswara
 Rao, Shri M. S. Sanjeevi
 Rao, Shri M. Satyanarayan
 Rathod, Shri Uttam
 Raut, Shri Bhola
 Reddi, Shri G. S.
 Reddy, Shri M. Ram Gopal
 Reddy, Shri P. Venkata
 Saminuddin, Shri
 Sangma, Shri P. A.
 Sathiyendran, Shri M. S. K.
 Satish Prasad Singh, Shri
 Sawant, Shri T. M.
 Sethi, Shri Arjun
 Sethi, Shri P. C.
 Shaktawat, Prof. Nirmala Kumari
 Shankaranand, Shri B.
 Shanmugam, Shri P.
 Sharma, Shri Kali Charan
 Sharma, Shri Nand Kishore
 Sharma, Shri Nawal Kishore
 Sharma, Shri Pratap Bhanu
 Shastri, Shri Dharam Dass
 Shiv Shankar, Shri P.
 Shivendra Bahadur Singh, Shri
 Signal, Shri S. B.
 Singh, Dr. B. N.
 Singh Deo, Shri K. P.
 Sinha, Shrimati Ramdulari
 Soren, Shri Hari Har
 Soundararajan, Shri N.

Sparrow, Shri R. S.
Sreenivasa Prasad, Shri V.
Stephen, Shri C. M.
Sukhadia, Shri Mohan Lal
Sultanpuri, Shri Krishan Dutt
Sunder Singh, Shri
Swami, Shri K. A.
Tariq Anwar, Shri
Tayyab Hussain, Shri
Tiwari, Shri Narayan Datt
Tytler, Shri Jagdish
Vairale, Shri Madhusudan
Verma, Shri Jai Ram
Venkatasubbaiah, Shri P.
Vijayaraghavan, Shri V. S.
Virbhadra Singh, Shri
Vyas, Shri Girdhari Lal
Wagh, Dr. Pratap
Wasnik, Shri Belkrishna Ramchandra
Yadav, Shri Ram Singh
Yusuf, Shri Mohmed
Zail Singh, Shri
Zainul Basher, Shri

MR. CHAIRMAN: Subject to correction the result* of the division is: Ayes 59; Noes 173.

The motion was negatived

MR. CHAIRMAN: The question is:

"That Clause 2 stand part of the Bill."

The motion was adopted.

Clause 2 was added to the Bill.

Clause 3—(Power to prohibit strikes in certain employments)

SHRI CHITTA BASU: I beg to move:

Page 3, lines 45 and 46,—

for "six-months" substitute "one month" (11)

Page 3, line 47,—

for "six months" substitute "one month" (12)

SHRI RAMAVATAR SHASTRI: I beg to move:

Page 3, Line 45 and 46,—

for "six months" substitute "one day" (28)

for "six months" substitute "one Page 3, line 47,— day" (29).

SHRI SUNIL MAITRA: I beg to move:

Page 3, lines 38 and 39,—

for "in the public interest" "substitute" during war with any foreign country" (70).

Page 3 line 46 and 46,—

for "six months" substitute "six days" (71)

Page 3, line 47,—

for "six months" substitute "six days" (72)

SHRI RUP CHAND PAL: I beg to move:

Page 3, line 40,—

for "order prohibit" substitute—"appeal not to resort to" (89).

SHRI KRISHNA CHANDRA HALDER: I beg to move:

Page 3,—

omit lines 42 to 48 (113)

* (1) The following Members also recorded their votes:

AYES: Shri A. K. Roy and Shri Ajit Bag;

NOES: Shri N. Selvaraju, Shri Ramayan Rai and Prof. Satya Deo Singh.

(2) The result of, this division applies to all the amendments (except Nos. 380 and 381) to clause 2 separately.

SHRI SATYANARAYAN JATTYA:

I beg to move:

Page 4, line 4,

omit "whether before or" (123)

SHRI SOMNATH CHATTERJEE:

I beg to move:

Page 3, line 38,—

after "satisfied" insert—

"for reasons to be recorded in writing and published in the Official Gazette" (149).

Page 3, line 45.—

after "shall" insert—

"come into operation after a week of its publication in the Official Gazette and" (150).

Page 3, lines 45 and 46,—

for "six months" substitute "two weeks" (151)

Page 4, line 1,—

after "satisfied" insert—

"and after the same comes into operation" (152).

Page 4,—

omit lines 4 to 6. (153)

SHRI SUDHIR GIRI: I beg to move:

Page 3, line 38,—

after "satisfied" insert—

"during the Emergency proclaimed under article 352 of the Constitution" (208).

SHRI SAIFUDDIN CHOUDHURY:

I beg to move:

Page 3, line 40,—

for "prohibit strikes in any" substitute—"intervene in favour of the workers against the authorities for maintaining" (222)

Page 4,—

for lines 2 and 3, substitute—

"(a) no employer will be allowed to create such situation so that

workers go on or remain on a strike" (223).

Page 4,—

for lines 4 to 6, substitutes—

"any situation commenced whether before or after the issue of the order by any employer in such service shall be punishable" (224)

SHRI R. P. DASS: I beg to move:

Page 3, line 38,—

after "satisfied" insert—

"for reasons to be recorded in writing and published in the Official Gazette and" (255).

Page 3, line 45.—

after "shall" insert—

"come into operation after a week of its publication in the Official Gazette" (256).

SHRI SATYAGOPAL MISRA: I beg to move:

Page 3, lines 45 and 46,

for "six months" substitute—"one week" (302).

SHRI M. M. LAWRENCE: I beg to move:

Page 3, line 38,—

after "is" insert "objectively" (336).

Page 3, lines 42 and 43,—

omit "in such manner as the Central Government considers best calculated" (337).

Page 3, line 47,—

for "not exceeding six months if it is satisfied" substitute—"not exceeding fifteen days if it is objectively satisfied" (339).

SHRI RAVINDRA VERMA: I beg to move:

Page 3,

after line 41, insert—

"Provided that before issuing such a general or special order, the

Government shall refer any industrial dispute that may have arisen or is apprehended to arise in any essential service to a Board, Court of Tribunal as provided for in the second proviso of section 10(1) of the Industrial Disputes Act, 1947, with appropriate instructions to complete conciliation or arbitration of the dispute within a period of time specified in the order referring such dispute to the Board, Court or Tribunal." (352).

SHRI A. K. ROY: I beg to move:

Page 3,—

for lines 38 to 41, substitute—

"3. (1) If the Central Government is satisfied that in the public interest it is necessary to avoid strike in any essential service, it may by a special order refer the case to a high powered conciliation machinery to bring about the justified solution to the problem causing the strike first through conciliation, failing which through compulsory arbitration within a fortnight." (382).

Page 3,—

omit lines 42 to 44. (383).

Page 3,—

omit lines 45 to 48. (384)

Page 4,—

for lines 4 to 6, substitute—

"(b) any strike declared during the period of conciliation or arbitration in any such service shall be illegal"; (385).

SHRI E. BALANANDAN: I beg to move:

Pages 3 and 4,—

for clause 3—

substitute—

"3. Power to prohibit strikes in certain employment will be as described in section 22 of the Industrial Disputes Act, 1947." (410).

SHRI CHITTA BASU: I beg to move:

Page 3, line 39,—

omit "general or" (415). 1

Page 3, line 41.—

add at the end—

"after recording reasons therefor" (416).

Page 3, line 48,—

add at the end—

"after recording the reasons therefor" (417).

SHRI ANANDA PATHAK: I beg to move:

Page 3, lines 45 and 46,—

for "six months" substitute "seven days" (419).

SHRI VIJAY KUMAR YADAV: I beg to move:

Page 3, line 39,—

after "it may", insert—

"with the prior sanction of both the Houses of Parliament by not less than two-third majority of each House." (442).

Page 3, line 41,—

add at the end—

"if it has been resorted to without using any other means of collective bargaining" (443).

Page 3, lines 42 and 43,—

for "such manner as the Central Government considers best calculated"

substitute—

"at least one newspaper of all the regional languages of the area of its operation" (444).

[Shri Vijay Kumar Yadav]

Page 3, lines 45 and 46,—

for "six months" substitute
"twenty-five days" (445)

Page 3, line 47,—

for "six months" substitute
"twenty-five days" (446).

Page 4, line 3,—

add at the end—

"if it is illegal" (447)

Page 4, line 4,—

for "whether before or" substitute
"without using any other means
of collective bargaining" (448).

SHRI SUBODH SEN: I beg to move:

Page 3, line 38,—

after "satisfied" insert—

"for reasons proved to have justified and recorded in writing and published in the Official Gazette". (476).

Page 3,—

for lines 45 to 48, substitute—

"(3) An order made under subsection (1) shall be in force for one month only, but the Central Government may by a like order delineating the proven reasons thereof, extend it for any period not extending one month if it is satisfied that in the public interest it is necessary or expedient so to do". (477).

Page 3, line 45,—

after "shall" insert—

"come into operation after a period of ten days of publication in the official Gazette, and" (478).

SHRI AJOY BISWAS: I beg to move:

Page 3, line 38,—

after "satisfied" insert—

"after taking opinion of the workers through secret ballot" (487).

SHRI CHITTA BASU: Sir, Clause 3 empowers the Government to prohibit strikes by a special order or a notification. One of the amendments is that there should not be a general order. If there is a strike in a specific organisation for a specific period or for a specific condition, this general order is vague. Therefore, each order should be of a specific nature. There should not be a general notification.

Then there is a question of public interest. Nowhere in the Bill there is a provision as to determine what constitutes public interest. Why does the Government consider that a strike should be declared illegal in public interest? There is no indication as to what constitutes public interest. Therefore, my amendment is that wherever such a notification or order is made, there should be reasons recorded.

Another point is about the period of six months. They want the right to declare the strike illegal for a period of six months. I suggest that this period should be reduced to two months. If it is to be extended, it can be extended only by one month—that also after recording the reasons therefor.

श्री राजबालार नास्की (पटना)

मेरा मनोदन नं० 28 और 29 धारा 3 में है। हड़ताल पर बहिष्कृत मजदूरों का प्रादेश छ महीने तक लागू रहेगा, इस विधेयक में यह बात कही गई है और अगर सरकार प्रादेशक मसौदा, नं० छ: महीने और इस को लागू करेगा। कहने का मतलब यह है कि मजदूरों पर कानूनी भी मुर्बाबन आती रहे प्राप उन को परेमान करने रहे, फिर भी वे प्रावाज नहीं उठा सकते। अगर वे प्रावाज उठाते हैं और प्राप सुनें नहीं, तो घन में लड़ने के लिए अगर वे हड़ताल करना चाहें तो नहीं कर सकते।

समाप्ति महोदय : आप टाइम्स बता
हीजिए कि कितना रखना चाहते हैं।

श्री राधाचतार शास्त्री : मैं यह कह
रहा था कि छः महीने तक यह आदेश
लागू रहेगा इस के पीछे तर्क क्या है,
छः महीने से कम क्यों नहीं है। छः
महीने के पीछे क्या सैफ्टी है कि छः
महीने ही रहे और फिर आगे छः महीने
ही बढ़ाना, इसके पीछे मेरे क्वाल से कोई
सुविध्य नहीं है, तर्क नहीं है। तो मैं
ने कहा है कि इस का आप एक दिन
क्यों नहीं रखते। अगर बढ़ाने की जरूरत
है, तो एक दिन के लिए क्यों नहीं बढ़ाते
आप को तर्क देन. होगा कि छः महीने
क्यों रखना चाहते हैं, हड़ताल पर
बंदित 6 महीने के लिए क्यों लगाना
चाहते हैं। मेरा एमेंडमेंट यह है कि
इसको एक एक दिन कर दिया जाए।

SHRI SUNIL MAITRA: In clause 3,
I have moved an amendment which
says:

Page 3, lines 38 and 39,—

for "in the public interest "sub-
stitute—"during war with any
foreign country".

As in clause 2, my reasons are the
same. Then again in page 3, lines 45
and 46, I have said that instead of
'six months', it should be operative
for six days. These are my amend-
ments.

MR. CHAIRMAN: Prof. Rup
Chand Pal does not want to speak.
Now Mr. Halder.

SHRI KRISHNA CHANDRA HAL-
DER: My amendment to clause 3 is
No. 113; it is in page 3, I wanted to
omit lines 42 to 48. You know that
the right to strike is the basic and
fundamental right of the workers.
By this clause, Government wants to
take away the basic and fundamental
right from the workers—those whose

services will be declared as essential.
By this clause, Government wants to
treat workers and employees as a
whole as second class citizens. Hon.
Home Minister said that for the wel-
fare of the workers he has brought
this Bill. By taking away the basic
and fundamental rights from the
workers. I don't understand how
their welfare can be taken care of.
So, his argument will not make the
workers happy and convincing. So,
I would request the hon. Home Mi-
nister to accept my amendment.

श्री सत्यनारायण जटिया (उज्जैन) :
समाप्ति महोदय जी, यह जो अमेंडमेंट
मैंने दिया है, यह काफी महत्वपूर्ण है।
इस में कहा गया है कि केन्द्रीय सरकार
का समाधान हो जाएगा, अब वह समा-
धान कब होगा, सपने में होगा, जागते
में होगा। कब समाधान हो जाएगा,
यह स्पष्ट नहीं है। कल नहीं होगा कि
इस बिल में ऐसी हड़ताल जिसके लिए
पब्लिक समय पहले नोटिस दिए जा
जा चुके होंगे ऐसी हड़ताल को भी
अवरोध कराने की बात कही गयी है जो
कि एक दम अमिक कानून के विपरीत
है। इस से तो ऐसा लगता है कि जिस
भी मेरी पट भी मेरी और सिक्का खड़ा
हो तब भी मेरा। यह तो आन्दोलन को
कुचलने वाला एक कदम है और मैं
चाहूंगा कि इस प्रकार जो मेरा
अमेंडमेंट उसको मान लिया जाए।

SHRI SOMNATH CHATTERJEE
(Yadavpur): I have given one amend-
ment for recording reasons. It has
been held by the Supreme Court and
other High Courts; it is also known
generally that giving of reasons is a
check on arbitrary action. You are
well aware of it. Since such wide
powers have been given, I am only
saying to give reasons so that one can
know why you have passed this order;
and at least give us an opportunity to
test it objectively and one can go and
have it tested. (Interruptions) There-
fore, the cat is now out of the bag.

[Shri Somnath Chatterjee]

The Communications Minister is in communication schemes with the devils, not with people; all sorts of devilish things and ideas....

THE MINISTER OF COMMUNICATIONS (SHRI C. M. STEPHEN): You are also there.

SHRI SOMNATH CHATTERJEE: He wants that no reason should be given because people should not be allowed to go to courts. Abolish that. Now, it is a disposable commodity, according to Mr. Stephen. Now the other thing is that they have taken the power. Our Home Minister is taking the power with bayonet right and that the order has been issued; I say it has been published in the official Gazette. You give a week's time to the people to see how they react to it. If they react favourably, according to their wishes—may be the draconian law—they do not have to put people in jail. Thirdly, after it is published in the official Gazette then it will come into operation. Therefore, there are two amendments. No person who do not want to suppress the real state of affairs will object to giving of reasons; and that is a check on arbitrariness with which you have agreed very kindly. The second amendment is that you give one week's time to the people to see how they react to it. Why do you take these draconian powers, dismissal, jail, summary trial and what not. I request the hon. Home Minister not to be guided by Mr. Stephen. He will always misguide you. Kindly apply your mind and kindly consider this. He is always there to misguide you.

SHRI SUSHIL BHATTACHARYA (Burdwan): Under Clause 3, I oppose the provisions for delegation of power, banning strikes by special orders of the executive on subjective assumption and satisfaction that banning strikes is necessary. That is why such an unlawful law is there. The shorter the duration the better it is for the working class and for the people. I have given this amend-

ment that satisfaction should be based on some reasons and it should be published in the Gazette.

SHRI SUDHIR GIRI (Contai): The reason for banning strikes has not been given. If the Government was acting in the interest of the vast masses of the people I would not have brought this amendment. This Government is acting at the behest of the multinationals, at the behest of the landlords and at the behest of the big houses. So, I say that the Government must not stop the strike. This ban should be imposed only during the Emergency. That is why I have brought this amendment.

MR. CHAIRMAN: Shri Saifuddin Choudhury.

You also want the reasons to be given.

SHRI SAIFUDDIN CHOUDHURY: It is mentioned in the Clause, "prohibit strikes in any". I wanted this to be substituted by saying "intervene in favour of the workers against the authorities for maintaining essential services".

Then, on page 4 for "no person employed in any essential service to which the Order relates shall go or remain on strike"

I wanted the words "no employer will be allowed to create such situation so that workers go on or remain on a strike".

Now, the Central Government has become a monopoly house, and they force the workers to go on strike. It is bad that in this country workers are made to go on strike.

MR. CHAIRMAN: Shri R. P. Das. Nos 253-254.

SHRI R. P. DAS: I want that as the working classes has earned a right to strike, therefore, strike shall never be illegal. Therefore, in sub-

section (1) on page 4, I want lines 4 to 6 to be omitted from the Bill.

MR. CHAIRMAN: Mr. Ravindra Varma.

SHRI RAVINDRA VARMA: This clause 3 is one of the crucial clauses of this Bill. This clause empowers the Government to prohibit a strike. My amendment is that before issuing such a general or special order, the Government shall refer any industrial dispute that may have arisen or is apprehended to arise in any essential service to a Board, Court or Tribunal as provided for in the second proviso of section 10(1) of the Industrial Disputes Act, 1947 with appropriate instructions to complete conciliation or arbitration of the dispute with a period of time specified in the order referring to such dispute to the Board, Court or Tribunal."

Now, this is an acid test of the Government's intentions. If the Government is sincere about what it professes, about the concept and right of collective bargaining, if it is sincere in its anxiety to preserve the conciliation machinery necessary for the redressal of grievances,—and both the Home Minister and the intervening Minister, the Minister for Communications have said that the intention is to preserve the machinery, the Government should have no objection whatsoever to accept this amendment to prove the sincerity of their profession. I hope therefore, my hon. friend will accept my amendment.

MR. CHAIRMAN: Shri Amar Roy-pradhan.

SHRI AMAR ROY PRADHAN: This is an important section of this draconian law. If the Central Government is satisfied in public interest,—you know in Central Government what public interest is, it is a vague term, as there is no mention in the definition regarding this 'public interest', so I would like to say that

there shall be such a provision for six months, instead of one year. Some hours before, Mr. Stephen was praising the workers and said that they will keep it for six months. But here you are making it one year. So, through my amendment I like to decrease the time to six months. My amendment No. is 364 and 365, on page 3. Or instead of six months, one month.

20.55 hrs.

[MR. DEPUTY-SPEAKER in the Chair]

MR. DEPUTY-SPEAKER: 365 is the same as No. 12.

SHRI A. K. ROY: Sir, I have given this particular amendment to help the Home Minister. While replying, he said:

हड़ताल के बजाय अपनी छाती पर एक चिल्ला लगा तां कि हम प्रोटेस्ट करते हैं कि यह यह बात हमारी नहीं मानी गई। हम सुनेंगे और सुनने के बाद आर्बिट्रेशन के लिए भेज देंगे। कंसिलियेशन की बात हुई तां वह भी करेंगे, उनको इन्कार नहीं करेंगे।

The same thing I have put in the form of an amendment and I have said:

"If the Central Government is satisfied that in the public interest it is necessary to avoid strike in any essential service, it may by a special order refer the case to a high powered conciliation machinery to bring about the justified solution to the problem causing the strike first through conciliation, failing which through compulsory arbitration within a fortnight."

MR. DEPUTY-SPEAKER: You had given the amendment before you heard the speech of the Home Minister.

SHRI A. K. ROY: I anticipated what he wanted. That is why I have put in this amendment to help the Home Minister. Pending conciliation or pending arbitration, if a strike is started, it will be illegal. I hope the Minister will accept my amendment.

SHRI E. BALANANDAN: My amendment is No. 410. While speaking, Mr. Stephen said that he would use the Industrial Disputes Act to protect the rights of the workers as such. Therefore, I am only suggesting through my amendment that the power to prohibit strikes in certain employment will be as described in section 22 of the Industrial Disputes Act, 1947. This is the original Act on that and it should be restored. I hope the Minister will accept my amendment.

SHRI ANANDA PATHAK (Darjeeling): Sir, the Central Government under this clause has assumed vast powers to prohibit any strike by a general or special order, if it is satisfied that it is necessary to do so. Therefore, I have given my amendment that the order, instead of being in force for six months, shall be in force for seven days. That is my amendment.

श्री शिवजी कुमार यादव (नानन्दा) :

उपाध्यक्ष महोदय, सरकार ने जो जवाब दिया है और सरकार की जो नीति इस विधेयक को पेश करने की रही है उसको देखते हुए सरकार को यह अधिकार नहीं दिया जा सकता है। जैसा कि इस में कहा गया है कि यदि केन्द्रीय सरकार को समाधान हो जाता है कि ऐसा करना सोचविचार में आवश्यक है या समीचीन है तो ऐसी हानत में वह हड़ताल प्रतिषेध कर सकती है। तो इस तरह से बैलिफ का अधिकार मेरे विचार से सरकार को नहीं दिया जाना चाहिए। और यह अधिकार पार्लियामेंट को देना चाहिए वह समझे कि ऐसी स्थिति है कि नहीं। और इसलिए मैंने संशोधन दिया है कि

पार्लियामेंट के दोनों हाउसों में इस पर विचार किया जाय कि ऐसी परिस्थिति है कि नहीं। और जब तक दो तिहाई बहुमत से स्वीकृति न दे तब तक स्वीकृति न मानी जाय। मैंने पहले भी कहा है कि अनरबल हड़ताल की बात कर के, क्योंकि सरकार ने जो जवाब दिया है, वह सरकार यह चाहती है कि उसकी यह मंशा है जैसा कि वह कहते हैं, हालांकि यह मंशा नहीं है, कि वह कुछ अधिकार मजदूरों को देना चाहती है, अपने सवालों को एजेंडेट करने के लिए। इसलिए अगर अगर कलैक्टिव बार्गेनिंग, दूसरे तपाकों का इस्तेमाल किये और हड़ताल हो तब वह लागू होना चाहिए और अगर मजदूर पहले सभी तरीकों का इस्तेमाल कर लेते हैं और उसके बाद हड़ताल पर मजबूर किया जाता है तो ऐसी स्थिति में यह उन पर लागू नहीं होना चाहिए।

21 hrs.

तीसरी बात मैं यह कहना चाहता हूँ, इस विधेयक में यह कहा गया है कि सरकार जो मुनासिब समझे इसके प्रचार करने का रास्ता अपनाये। मैंने कहा है कि जो कन्वर्ड मोल है और जहाँ यह मशाय है, और जिस इलाके में इसका प्रचार होगा, वहाँ पर जो प्राबेजिक भाषा के प्रचार निकलते हैं, काम से काम उन में से एक एक प्रचार में इसको जरूर जाया किया जावे और साथ ही साथ 6 महीने तक यह लागू रहने की बात कहा गया है तो इतना डिस्टेंटरियन आदेश को उसको इतने दिनों तक लागू रखने का तर्क कोई औचित्य नहीं है। इसलिए मैंने यह संशोधन रखा है कि 3 महीने के स्थान पर पच्चीस दिन किया जाय।

SHRI SUBODH SEN (Jaipalguri): I have not only asked them to give the reasons but also I have said that the reasons must be justifiable. I have

got certain experience where I have found that the reasons become arbitrary during detention. I have seen Congress Government issuing charge-sheet that such and such persons committed such and such violent acts prior to independence. They have put it as a reason for detaining the persons. So, the reasons must be just and not arbitrary.

Your expression of strike includes refusal under a common understanding of any number of persons who are or have been so employed to continue to work or to accept work assigned. Imagine a condition that there is a defective locomotive. And there is a defective culvert. At that particular period, a combination of people consisting of 20 loco-men refuse to move that locomotive. So, that will come under the penal action. Should it be there? Therefore, I say that the reasons must be just.

Referring to my amendment No. 477 I have said that when the period is to be extended, there must be fresh reasons given, which have to be delineated. Instead of six months, I have said one month.

SHRI AJOY BISWAS: My amendment is that if the Central Government is satisfied after taking opinion of the workers through secret ballot. Then my second and third amendments are that the order shall be in force for on day instead of six month and the period should be extended not more than on day. I have had experience of being in detention. I know the attitude of the Government. That is why I say that this provision is not justified. So, I have moved my amendment.

श्री जेल सिंह : उपाध्यक्ष महोदय, मुझे इस बात की बड़ी खुशी है कि यह पानियामेंटरी सिस्टम बहुत अच्छा है। मुझे इस बात की भी खुशी हुई कि पहले दिन जब यह बिल इंट्रोड्यूस हुआ....
(अपवाधान)

श्री जेल सिंह : मैं आपकी अमेंडमेंट का जवाब दे रहा हूँ।

SHRI M. M. LAWRENCE (Idukki): Sir, I have moved my amendment. I want to talk on that.

MR. DEPUTY-SPEAKER: Your amendment may be identical to some other amendment. That is why you were not called. Others might have moved it and spoken on that. That is why I called the Minister.

SHRI M. M. LAWRENCE: Clause 3(1) of the Bill reads:

"If the Central Government is satisfied that in the public interest it is necessary or expedient so to do, it may, by general or special Order, prohibit strikes in any essential service specified in the Order."

The words used are "If the Central Government is satisfied". It is very vague; unlimited power is being given to the Government. Further, it is subjective satisfaction. My amendment suggests that it should be objectively satisfied. I press my amendment very strongly and I would request the Home Minister to accept my amendment.

श्री जेल सिंह : उपाध्यक्ष महोदय, मैं उन मेम्बर साहेबान का बहुत पश्चुर हूँ जो यह अमेंडमेंट लाये हैं। यह चाहते हैं कि उनको मंजूर कर लिया जाए। मेरे पास 507 अमेंडमेंट हैं और अगर मैं चाहूँ भी कि कोई अमेंडमेंट मंजूर कर लूँ तो इसका मतलब यह होगा कि दूसरे मेम्बर नाराज होंगे। मुझे इस बात की खुशी है कि दो दिन इस बिल का बहुत विरोध होता रहा और इसको काला भी कहा गया, भयानक भी कहा गया, मजदूरों का दुश्मन भी कहा गया, कोई शब्द ऐसा नहीं जो इसके खिलाफ नहीं कहा गया हो। लेकिन आज खुशी की बात यह है कि बिल

[श्री जेल सिंह]

न काला है, न खराब है और न मजदूरों के खिलाफ है, ये लोग यह चाहते हैं कि इस में अमैडमेंट हो जाये।

इतनी बात से पता चलता है कि मेम्बर साहेबान को यह प्रेरणा हुई कि यह बिल तो अच्छी है, लेकिन इसकी एक लाइन काट दो, एक डाल दो, इतनी ही बात इनकी रह गई है। मैं आनेरेबल मेम्बर साहेबान का धन्यवाद करता हूँ कि उन्होंने बड़ी अच्छी दिल-चस्पी ली है इस बिल में सुधार के लिए, इतना कंसल्टेशन किया है, थोड़ी-सी कंसल्टेशन के बाद यह बिल पास होगा। मैं सिर्फ इतनी सी प्रार्थना करता हूँ, छोटी सी बात रह गई है, बाकी आप मान गये हैं, मैं आपकी अमैडमेंट किसी को परवान नहीं कर सकता, इसलिए मजबूर हूँ।

MR. DEPUTY-SPEAKER: I will now put all the amendments to the vote of the House together.

SHRI A. K. ROY: I want my amendment No. 382 to be put separately.

MR. DEPUTY-SPEAKER: I now put amendment No. 382 to Clause 3 moved by Shri A. K. Roy to the vote of the House.

The question is:

Page 3,—

for lines 38 to 41, substitute—

"3.(1) If the Central Government is satisfied that in the public interest it is necessary to avoid strike in any essential service, it may by a special order refer the case to high powered conciliation machinery to bring about the justified solution to the problem causing the strike first through conciliation, failing which through compulsory arbitration within a fortnight." (382).

The Lok Sabha divided:

Division No. 19]

[21.14 hrs.

AYES

Acharia, Shri Basudeb

Balan, Shri A. K.

Balanandan, Shri E.

Barman, Shri Palas

Basu, Shri Chitta

Bhattacharyya, Shri Sushil

Biswas, Shri Ajoy

Chakraborty, Shri Satyasadhan

Chatterjee, Shri Somnath

Chaudhuri, Shri Tridib

Choudhury, Shri Salfuddin

Ghosh, Shri Niren

Ghosh Goswami, Shrimati Bibha

Giri, Shri Sudhir

Gopalan, Shrimati Suseela

Gupta, Shri Indrajit

Halder, Shri Krishna Chandra

Hannan Mollah, Shri

Hasda, Shri Motilal

Horo, Shri N. E.

Imbichihava, Shri E. K.

Jatiya, Shri Satyanarayan

Lawrence, Shri M. M.

Mahata, Shri Chitta

Maltra, Shri Sunil

Mandal, Shri Mukunda

Mandal, Shri Sanat Kumar

Masudal Hossain, Shri Syed

Misra, Shri Satyagopal

Modak, Shri Bijoy

Mohammed Ismail, Shri

Mukherjee, Shrimati Geeta

Mukherjee, Shri Samar

Pal, Prof. Rup Chand

Parulekar, Shri Bapusaheb

Pathak, Shri Ananda

Rai, Shri M. Ramanna

Rajan, Shri K. A.

Rajda, Shri Ratansinh

Riyan, Shri Baju Ban

Roy, Dr. Saradish

Roy Pradhan, Shri Amar

Saha, Shri Ajit Kumar

Saha, Shri Gadadhar,
Sen, Shri Subodh
Shastri, Shri Ramavatar
Shejwalkar, Shri N. K.
Suraj Bhan, Shri
Surya Narayan Singh, Shri
Tirkey, Shri Plus
Unnikrishnan, Shri K. P.
Varma, Shri Ravindra
Yadav, Shri Vijay Kumar
Zainal Abedin, Shri

NOES

Ahmed, Shri Kamaluddin
Anand Singh, Shri
Ankineedu Prasad Rao, Shri P.
Anuragi, Shri Godil Prasad
Appalanaidu, Shri S. R. A. S
Azad, Shri Bhagwat Jha
Azad, Shri Ghulam Nabi
Baitha, Shri D. L.
Bajpai, Dr. Rajendra Kumari
Baleshwar Ram, Shri
Bansi Lal, Shri
Barot, Shri Maganbhai
Barway, Shri J. C.
Behera, Shri Rasabehari
Bhagwan Dev, Acharya
Bhakta, Shri Manoranjan
Bhardwaj, Shri Parasram
Bhatia, Shri R. L.
Bhoi, Dr. Krupamndhu
Bhole, Shri R. R.
Bhuria, Shri Dileep Singh
Brar, Shrimati Gurbrinder Kaur
Brijendra Pal Singh, Shri
Chakradhari Singh, Shri
Chandra Shekhar Singh, Shri
Chandrashekharaappa, Shri T. V.
Chaturvedi, Shrimati Vidyawati
Chaudhary, Shri Manphool Singh
Chennupati, Shrimati Vidya
Chingwang Konyak, Shri
Choudhury, Shri A. B. A. Ghani Khan

Dalbair Singh, Shri
Das, Shri A. C.
Dennis, Shri N.
Dev, Shri Sontosh Mohan
Dhandapani, Shri C T
Era Anbarasu, Shri
Fernandes, Shri Oscar
Gadgil, Shri V. N.
Gaikwad, Shri Udaysingrao
Gandhi, Shri Rajiv
Gehlot, Shri Ashok
Gireraaj Singh, Shri
Gomango, Shri Giridhar
Godda, Shri D. M. Putte
Gulsher Ahmed, Shri
Hembrom, Shri Seth
Jain, Shri Bhiku Ram
Jain, Shri Nihal Singh
Jain, Shri Virdhi Chander
Jamilur Rahman, Shri
Jena, Shri Chintamani
Jha, Shri Kamal Nath
Kamal Nath, Shri
Kamla Kumari, Kumari
Karma, Shri Laxman
Kaushal, Shri Jagan Nath
Keyur Bhushan, Shri
Kidwai, Shrimati Mohsina
Krishna, Shri S. M.
Krishna Pratap Singh, Shri
Kuchan, Shri Gangadhar S.
Kunwar Ram, Shri
Kusuma Krishna Murthy, Shri
Laskar, Shri Nihar Ranjan
Machuri Singh, Shrimati
Mahajan, Shri Vikram
Mahajan, Shri Y. S.
Mahendra Prasad, Shri
Mallick, Shri Lakshman
Mallu, Shri Anantha Ramulu
Meena, Shri Ram Kumar
Mishra, Shri Gargi Shankar
Mishra, Shri Ram Nagina

Mishra, Shri Unnakant
 Misra, Shri Harinathu
 Misra, Shri Nityananda
 Mohanty, Shri Brajamohan
 Mohite, Shri Yashwantrao
 More, Shri Ramkrishna
 Murthy, Shri M. V. Chandrashekhara
 Murugian, Shri S.
 Muthu Kumaran, Shri R.
 Muttemwar, Shri Vilas
 Nagina Rai, Shri
 Naikar, Shri D. K.
 Nair, Shri B. K.
 Namgyal, Shri P.
 Narayana, Shri K. S.
 Netam, Shri Arvind
 Nikhra, Shri Rameshwar
 Oraon, Shri Kartik
 Pandey, Shri Krishna Chandra
 Panigrahi, Shri Chintamani
 Pardhi, Shri Kesharao
 Parthasarathy, Shri P.
 Patil, Shri A. T.
 Patil, Shri Balasaheb Vikhe
 Patil, Shri Chandrabhan Athare
 Patil, Shri Shivraj V.
 Patil, Shri Veerendra
 Patil, Shri Vijay N.
 Patnaik, Shrimati Jayanti
 Pattabhai Rama Rao, Shri S. B. P.
 Pilot, Shri Rajesh
 Poojary, Shri Janardhana
 Potdukhe, Shri Shantaram
 Pullaiah, Shri Darur
 Pushpa Devi Singh, Kumari
 Quadri, Shri S. T.
 Rahim, Shri A. A.
 Rajamallu, Shri K.
 Raju, Shri P. V. G.
 Ram, Shri Ramswaroop
 Ramalingam, Shri N. Kudanthai
 Ramamurthy, Shri K.
 Ran Vir Singh, Shri

Rane, Shrimati Sanyogita
 Ranga, Prof. N. G.
 Ranjit Singh, Shri
 Rao, Shrimati B. Rachabai Ananda
 Rao, Shri M. Nageswara
 Rao, Shri M. S. Sanjeevi
 Rao, Shri M. Satyanarayan
 Raut, Shri Bhola
 Reddi, Shri G. S.
 Reddy, Shri K. Obul
 Reddy, Shri M. Ram Gopal
 Reddy, Shri P. Venkata
 Saminuddin, Shri
 Sangma, Shri P. A.
 Sathiyendran, Shri M. S. K.
 Satish Prasad Singh, Shri
 Satya Deo Singh, Prof.
 Sethi, Shri Arjun
 Sethi, Shri P. C.
 Shaktawat, Prof. Nirmala Kumari
 Shankaranand, Shri B.
 Shanmugam, Shri P.
 Sharma, Shri Kali Charan
 Sharma, Shri Nand Kishore
 Sharma, Shri Nawal Kishore
 Sharma Shri Pratap Bhanu
 Shiv Shankar, Shri P.
 Shivenara Bahadur Singh, Shri
 Sidnal, Shri S. B.
 Singh, Dr. B. N.
 Singh Deo, Shri K. P.
 Sinha, Shrimati Ramdulari
 Soren, Shri Hari Har
 Soundararajan, Shri N
 Sparrow, Shri R. S.
 Sreenivasa Prasad, Shri V.
 Stephen, Shri C. M.
 Sukhadia, Shri Mohan Lal
 Sultanpuri, Shri Krishan Dutt
 Sunder Singh, Shri
 Swami, Shri K. A.
 Tariq Anwar, Shri
 Tayyab Hussain, Shri
 Tewary, Prof. K. K.

Thorat, Shri Bhausaheb
Tiwari, Shri Narayan' Datt
Tytler, Shri Jagdish
Varma, Shri Jai Ram
Venkatasubbaiah, Shri P.
Vijayaraghavan, Shri V. S.
Virbhadra Singh, Shri
Vyas, Shri Girdhari Lal
Wagh, Dr. Pratap
Wasnik, Shri Balkrishna Ramchandra
Yadav, Shri Ram Singh
Yusuf, Shri Mohamed
Zail Singh, Shri
Zainul Basher, Shri

MR. DEPUTY-SPEAKER: Subject to correction the result* of the division is: Ayes 54; Noes 175.

The motion was negatived

MR. DEPUTY SPEAKER: I shall now put all the other amendment to clause 3 to the vote of the House.

All the other amendments Nos. 11, 12, 28, 29, 70 to 72, 89, 113, 123, 149 to 153, 208, 222 to 224, 255, 256, 302, 336, 337, 339, 352, 383 to 385, 410, 415 to 417, 419, 442 to 448, 476 to 478 and 487 were put and negatived.

MR. DEPUTY-SPEAKER: The question is:

"That clause 3 stand part of the Bill."

The Lok Sabha divided:

AYES

Division No. 20] 121.16 hrs.

Ahmed, Shri Kamaluddin
Anand Singh, Shri
Ankineedu Prasad Rao, Shri P.
Anuragi, Shri Godil Prasad
Appalanaidu, Shri S. R. A. S.
Azad, Shri Bhagwat Jha
Azad, Shri Ghulam Nabi
Baitha, Shri D. L.
Bajpai, Dr. Rajendra Kumari
Balehwar Ram, Shri
Bansi Lal, Shri
Barot, Shri Maganbhai
Barway, Shri J. C.

Behera, Shri Rasabehari
Bhagwan Dev, Acharya
Bhakta, Shri Manoranjan
Bhardwaj, Shri Parasram
Bhatia, Shri R. L.
Bhoi, Dr. Krupasindhu
Bhole, Shri R. R.
Bhuria, Shri Dileep Singh
Brar, Shrimati Gurbrinder Kaur
Brijendra Pal Singh, Shri
Chakraohari Singh, Shri
Chandra Shekhar Singh, Shri
Chandrashekkharappa, Shri T. V.
Chaturvedi, Shrimati Vidyawati
Chennupati, Shrimati Vidya
Chingwang Konyak, Shri
Choudhury, Shri A. B. A. Ghani Khan
Dalbir Singh, Shri
Das, Shri A. C.
Dennis, Shri N.
Dev, Shri Sontosh Mohan
Dhandapani, Shri C. T.
Era Anbarasu, Shri
Fernandes, Shri Oscar
Gadgil, Shri V. N.
Gaikwad, Shri Udaysingrao
Gandhi, Shri Rajiv
Gehlot, Shri Ashok
Gireraj Singh, Shri
Gomango, Shri Giridhar
Gowda, Shri D. M. Putte
Jain, Shri Bhiku Ram
Jain, Shri Nihal Singh
Jamilur Rahman, Shri
Jena, Shri Chintamani
Jha, Shri Kamal Nath
Kamal Nath, Shri
Kamla Kumari, Kumari
Karma, Shri Laxman
Kaushal, Shri Jagan Nath
Keyur Bhusan, Shri
Kidwai, Shrimati Mohsina
Kosalram, Shri K. T.
Krishna, Shri S. M.
Krishna Pratap Singh, Shri
Kuchan, Shri Gangadhar S.
Kunwar Ram, Shri
Kusuma Krishna Murthy, Shri
Laskar, Shri Nihar Ranjan
†Lawrence, Shri M. M.
Madhuri Singh, Shrimati
Mahajan, Shri Vikram
Mahajan, Shri Y. S.
Mahendra Prasad, Shri

*The following Members also recorded their votes:

AYES: Sarva Shri A. K. Roy, A. K. Balam, A. K. Mhalgi and Ajit Bae:

NOES: Shri K. T. Kosalram.

†Wrongly voted for AYES

Mallik, Shri Lakshman
 Mallu, Shri Anantha Ramulu
 Meena, Shri Ram Kumar
 Mishra, Shri Ram Nagina
 Mishra, Shri Umakant
 Misra, Shri Harinatha
 Misra, Shri Nityananda
 Mohanty, Shri Brajamohan
 More, Shri Ramkrishna
 Murthy, Shri M. V. Chandrashekhara
 Murugian, Shri S.
 Muthu Kumaran, Shri R.
 Muttemwar, Shri Vilas
 Nagina Rai, Shri
 Naikar, Shri D. K.
 Nair, Shri B. K.
 Namgyal, Shri P.
 Narayana, Shri K. S.
 Netam, Shri Arvind
 Nikhra, Shri Rameshwar
 Pandey, Shri Krishna Chandra
 Panigrahi, Shri Chintamani
 Pardhi, Shri Keshao Rao
 Parthasarthy, Shri P.
 Patil, Shri A. T.
 Patil, Shri Balasaheb Vikhe
 Patil, Shri Chandrabhan Athare
 Patil, Shri Shivraj V.
 Patil, Shri Veerendra
 Patil, Shri Vijay N.
 Patnaik, Shrimati Jayanti
 Pattabhi Rama Rao, Shri S. B. P.
 Pilot, Shri Rajesh
 Poojari, Shri Janardhana
 Potdukhe, Shri Shantaram
 Pullaiah, Shri Darur
 Pushpa Devi Singh, Kumari
 Quadri, Shri S. T.
 Rahim, Shri A. A.
 Raju, Shri P. V. G.
 Ram, Shri Ramswaroop
 Ramalingam, Shri N. Kudanthai
 Ramamurthy, Shri K.
 Ran Vir Singh, Shri
 Rane, Shrimati Sanyogita
 Ranga, Prof. N. G.
 Ranjit Singh, Shri
 Rao, Shrimati B. Radhabai Ananda
 Rao, Shri M. Nageswara
 Rao, Shri M. S. Sanjeevi
 Rao, Shri M. Satyanarayan
 Raut, Shri Bhola
 Reddi, Shri G. S.
 Reddy, Shri K. Obul
 Reddy, Shri P. Venkata
 Saminuddin, Shri
 Sangma, Shri P. A.

Sathiyendran, Shri M. S. K.
 Satish Prasad Singh, Shri
 Sethi, Shri Arjun
 Shaktawat, Prof. Nirmala Kumari
 Shankaranand, Shri B.
 Shanmugam, Shri P.
 Sharma, Shri Kali Charan
 Sharma, Shri Nand Kishore
 Sharma, Shri Pratap Bhanu
 Shiv Shankar, Shri P.
 Shivendra Bahadur Singh, Shri
 Sidnal, Shri S. B.
 Singh, Dr. B. N.
 Singh Deo, Shri K. P.
 Sinha, Shrimati Ramdulari
 Soren, Shri Hari Har
 Soundararajan, Shri N.
 Sparrow, Shri R. S.
 Stephen, Shri C. M.
 Sukhadia, Shri Mohan Lal
 Sultanpuri, Shri Krishan Dutt
 Sunder Singh, Shri
 Surya Narayan Singh, Shri
 Swami, Shri K. A.
 Tariq Anwar, Shri
 Tayyab Husain, Shri
 Tewary, Prof. K. K.
 Thorat, Shri Bhausahab
 Tiwari, Shri Narayan Datt
 Tytler, Shri Jagdish
 Varma, Shri Jai Ram
 Venkatasubbaiah, Shri P.
 Vijayaraghavan, Shri V. S.
 Virbhadr Singh, Shri
 Vyas, Shri Girdhari Lal
 Wagh, Dr. Pratap
 Wasnik, Shri Balkrishna Ramchan-
 dra
 Yadav, Shri Ram Singh
 Yusuf, Shri Mohmed
 Zai Singh, Shri
 Zainul Basher, Shri

NOES

Acharia, Shri Basudeb
 Balan, Shri A. K.
 Balanandan, Shri E.
 Barman, Shri Palas
 Basu, Shri Chitta
 Bhattacharyya, Shri Sushil
 Biswas, Shri Ajoy
 Chakraborty, Shri Satyasadhan
 Chatterjee, Shri Somnath

†Chaudhary, Shri Manphool Singh
Chaudhuri, Shri Tridib
Choudhury, Shri Saifuddin
Das, Shri R. P.
Ghosh, Shri Niren
Ghosh Goswami, Shrimati Bibha
Giri, Shri Sudhir
Gopalan, Shrimati Suseela
†Gulsher Ahmed, Shri
Gupta, Shri Indrajit
Halder, Shri Krishna Chandra
Hannan Mollah, Shri
Hasda, Shri Matilal
Horo, Shri N. E.
Imbichibava, Shri E. K.
Jatiya, Shri Satyanarayan
Mahata, Shri Chitta
Maitra, Shri Sunil
Mandal, Shri Mukunda
Mandal, Shri Sanat Kumar
Masudal Hossain, Shri Syed
Misra, Shri Satyagopal
Modak, Shri Bijay
Mohammed Ismail, Shri
†Mohite, Shri Yashwantrao
Mukherjee, Shri Samar
Pal, Prof. Rup Chand
Parulekar, Shri Bapusaheb
Pathak, Shri Ananda
Rai, Shri M. Ramanna
Rajan, Shri K. A.
Rajda, Shri Ratansinh
Riyan, Shri Bajju Ban
Roy, Dr. Saradish
Roy Pradhan, Shri Amar
Saha, Shri Ajit Kumar

Saha, Shri Gadadhar
Sen, Shri Subodh
†Sethi, Shri P. C.
Shastri, Shri Ramavatar
Shejwalkar, Shri N. K.
Suraj Bhan, Shri
Tirkey, Shri Pius
Unnikrishnan, Shri K. P.
Varma, Shri Ravindra
Yadav, Shri Vijay Kumar
Zainal Abedin, Shri

MR. DEPUTY-SPEAKER: Subject* to Correction, the result of the division is: Ayes 165; Noes 56.

The motion was adopted

Clause 3 was added to the Bill.

MR. DEPUTY SPEAKER: Now we go to Clause 4.

Clause 4—(Dismissal of employees Participating in illegal strikes)

SHRI CHITTA BASU: I beg to move

Page 4, line 12,—

omit "(including dismissal)" (13)

SHRI RAMAVATAR SHASTRI: I beg to move:

Page 4, line 14,—

omit "(including dismissal)" (31)

SHRI MUKUNDA MANDAL: I beg to move:

Page 4, line 12,—

for "(including dismissal)," substitute "(including fine)" (54).

Page 4, line 14,—

for "(including dismissal)" substitute—"(including fine)" (55)

SHRI SUNIL MAITRA: I beg to move

†Wrongly voted by NOES

*The following Members also recorded their votes:

AYES: Sarvshri Kartik Oroan, K. Rajamallu, Naval Kishore Sharma, M. Ram Gopal Reddy, Seth Hembrom, Virdhi Chander Jain, P. C. Sethi, Gulsher Ahmed, Yeshwantrao Mohite, Manphool Singh Chaudhary Prof. Satya Deo Singh;
NOES: Sarvshri A. K. Roy, R.K. Mhalgi, Ajit Bag, M. M. Lawrence, and Shrimati Geeta Mukharjee.

[Shri Sunil Maitra]

Page 4, line 12,—

for "liable to disciplinary action (including dismissal)" substitute "liable to reprimand" (73).

PROF. RUPCHAND PAL: I beg to move

Page 4, line 8,—

omit "which is illegal" (90).

SHRI KRISHNA CHANDRA HALDER: I beg to move

Page 4,—

omit lines 10 and 11. (114).

SHRI SATYANARAYAN JATIYA: I beg to move

Page 4,—

line 11, add at the end—"provided it is proved by sufficient facts, proof and rule of law" (124).

SHRI SOMNATH CHATTERJEE: I beg to move

Page 4, line 8,—

omit "which is illegal under this Act or " (154).

Page 4, line 12,—

for "including" substitute "excepting" (156).

Page 4, line 14,—

for "including" substitute "excepting" (157).

SHRI SUDHIR GIRI: I beg to move:

Page 4, line 9,—

after "strike", omit "or" (209).

SHR SAIFUDDIN CHOUDHURY: I beg to move

Page 4,—

for lines 8 and 9,—

substitute "(a) who forces commencement of strike by workers; or" (226).

Page 4, for lines 10 and 11, substitute—

"(b) who instigates or incites other persons to do so," (226).

Page 4, lines 14 to 16,—

omit "(including dismissal) on any other ground under the terms and conditions of service applicable to him in relation to his employment" (228).

SHRI HANNAN MOLLAH: I beg to move:

Page 4, line 12,—

for "including" substitute "except" (239).

Page 4, line 14,—

for "including" substitute "except" (240).

SHRI SAMAR MUKHERJEE: I beg to move:

Page 4, line 8,—

omit "which is illegal under this Act" (260).

SHRI A. K. ROY: I beg to move:

Page 4, line 16,—

add at the end

"provided that is proved in any National Tribunal for labour functioning in the country" (386).

SHRI VIJAY KUMAR YADAV: I beg to move:

Page 4, line 12,—

for "including" substitute "excluding" (450).

Page 4, line 14,—

for "including" substitute "excluding" (451).

SHRI SUBODH SEN: I beg to move:

Page 4, line 12,—

for "including" substitute "barring" (479).

Page 4, line 14,—

for "including" substitute "bar-
ring" (480).

SHRI CHITTA BASU: Mr. Deputy-Speaker, Sir, the Government wants to take disciplinary action and a worker can be arrested, a worker can be jailed for six months and punished if he takes part in a strike which is declared as illegal. Not only that there is a provision in this Bill that disciplinary action can be taken. Disciplinary action has got its own procedure. He may be suspended, he may be fined he may be jailed and here, extra ordinarily, it has been provided "including dismissal". That is to say, a worker can be dismissed. I think, you will agree with me that this is an extraordinary provision.

It is extra-ordinary, it is draconian, it is inhuman and, therefore, this pernicious provision should not be on these statute book. In order to show that the Government is at least civilised, they should not put a provision of "including dismissal" on the statute book. At least, the words "including dismissal" should be removed.

श्री रामाबतार शास्त्री : उपाध्यक्ष जी, प्राग 4 में जहाँ हड़तालों में भाग लेने के कारण कर्मचारियों के खिलाफ कार्यवाही करने की चर्चा है, अभी जब जानी जी जबाब दे रहे थे तो उन्होंने कहा कि उन को मजदूरों से बहुत हमदर्दी है। उनकी हमदर्दी का सबूत यह है कि अगर कोई मजदूर हड़ताल में शामिल हो जाएगा तो वह उसके खिलाफ मामूली सजा नहीं देंगे, बल्कि बिल्कुल डिस्मिसल, यानी उसको एक-दम नौकरी से निकाल बाहर किया जायेगा ताकि उस के बालबच्चे भूखे मरें। अगर उनकी ऐसी हमदर्दी मजदूरों के प्रति है तो ऐसी हमदर्दी से दूर रहना चाहिए।

अगर आप कार्यवाही ही करना चाहते हैं तो थोड़ा रहमदिल होना

चाहिए था। लेकिन लगता है कि आप के दिल में रहम की कोई जगह ही नहीं है। अगर जगह होती तो कम से कम इस किस्म की बात नहीं करते। मेरा यह कहना है कि किसी भी जनतंत्र में विश्वास करने वाली सरकार के लिए "डिस्मिसल" लफ्ज वाजिब नहीं है, बिल्कुल नामुनासिब है और असभ्य भी कहा जाये तो अतिशयोक्ति नहीं होगी

श्री जस सिंह : बाकी सब ठीक है न ?

श्री रामाबतार शास्त्री : आप डिस्मिसल शब्द निकालने की बात मान लीजिए, उस के बाद पूछिए कि बाकी सही है या नहीं। आप सजा देना चाहते हैं, तो हल्की सजा दे सकते हैं, सस्पेंड कर सकते हैं, बर्न कर सकते हैं। डिस्मिसल की मैं बड़ा असभ्य तरीका मानता हूँ। किसी भी जनतन्त्रिक सरकार के लिए यह शर्म की और क्षोभ की बात है।

MR. DEPUTY-SPEAKER: Shri Mukunda Mandal.

SHRI MUKUNDA MANDAL (Ma-thurapur): Clause 4 of the Bill aims at taking away the fundamental right of the worker to strike. Here it is said that "who commences a strike which is illegal takes part in, any such strike; or

(b) who instigates or incites other persons to commence, or go or remain on, or otherwise take part in, any such strike, shall be liable to disciplinary action (including "dismissal"). I am opposing this word "dismissal". If a worker is facing any danger and if he asks the Government to fulfil his demands, then instead of fulfilling his demands, the Government should not attack the workers. The workers should be protected first because there

[Shri Mukunda Mandal]

is rising unemployment problem at present. An effort is being made to dismiss the workers from employment. Under Article 359 of the Constitution, Fundamental Rights can only be suspended during Emergency. This is not the period of Emergency though it is an undeclared emergency. So I request the Hon. Home Minister to remove "dismissal" and better call it as "including fine". That is my simple amendment.

MR. DEPUTY-SPEAKER: Shri Sunil Maitra:

SHRI SUNIL MAITRA (Calcutta North East): This particular provision of dismissal of worker for joining strike is preposterous, outrageous, sabotage, barbaric, inhuman and ugly and it only suits the dictates of the ruling party. I, therefore, wish to omit "dismissal".

MR. DEPUTY-SPEAKER: Prof. Rup Chand Pal.

PROF. RUP CHAND PAL (Hooghly): The right to strike was not a gift of the ruling party to the workers. So, strike will take place. Workers will resort to strike wherever there is injustice. Production is brought about by the workers, and developmental work is done by the workers. But by this piece of legislation, particularly by this clause of "dismissal", the Government is trying to halt whatever possibilities of development in the country are there. If the Government resort to such dismissal, it will be anti-national. So, I move my amendment.

MR. DEPUTY-SPEAKER: Shri Krishna Chandra Halder.

SHRI KRISHNA CHANDRA HALDER: Clause 4 enables Government to dismiss employees participating in strike. The Government will declare a strike illegal and then they will dismiss and arrest and penalise the workers. You are a former leader of the Postal employees. You are now Deputy Speaker. I remember in the year

1946 in undivided Bengal in the British days, postal workers of Bengal organised a continuous strike in support of their demands.

That historic general strike was held in Bengal in support of Postal strike on 29th July, 1946..

MR. DEPUTY-SPEAKER: What has that to do with this amendment?

SHRI KRISHNA CHANDRA HALDER: It is very much connected with the amendment. The British Imperialists did not declare that strike as illegal and they did not arrest anybody. We, as political workers, supported, and organized people in support of, that postal strike in the year 1946 in the British, imperialist, days. This piece of legislation is worse than what happened in the British days. So, I oppose this Clause. I request the Home Minister not to behave worse than the British imperialists.

श्री सत्यनारायण जटिया : उपाध्यक्ष महोदय, यह जो धारा 4 है, इस में मेरा संशोधन नं० 124 यह है कि पृष्ठ 4 की पंक्ति 30 के अन्त में "अथवा यह पर्याप्त नयों, प्रमाण और विधि द्वारा मानित हो जाता है" जोड़ा जाए।

किसी भी आदमी पर यह आरोप लगा कर कि क्योंकि तुम हड़ताल में प्रोत्साहन करने के लिए शामिल थे, इस आधार पर उस पर जो भी जुल्म हो सकता है, वह किया जाएगा और यह सारा नियम और कानून के अन्दर होगा। मेरा कहना यह है कि यह ठीक नहीं है और इस से उन आदमी को न्याय नहीं मिलेगा। इस के बारे में मैं यह कहना चाहता हूँ कि :

तुम जुल्म भी करोगे, तो चर्च न होगी, कोई आदमी भी भर लेगा, वो हो जाएगा बदनाम ॥

यह सारी बात जो है, यह न्याय-
संगत नहीं है और इसलिए मैं चाहूंगा
कि मंत्री जी मेरे संशोधन को मान लें।

SHRI SOMNATH CHATTERJEE: I
believed, there is a printing mistake
in the Bill, and I have moved an
amendment to correct it. I thought,
including dismissal was a mistake
which should be corrected. They can-
not be Draconian that for one day
strike, he will deserve dismissal. I am
only relying on your experience, what
happened to you for participating in
the P & T strike. You were sum-
marily sent to jail for that glorious
struggle under your leadership that
the P & T employees had carried on.
You lost your job. For three years
you went to jail and you could not
get your job back...

MR. DEPUTY-SPEAKER: That is
all right.

SHRI SOMNATH CHATTERJEE:
The same tradition is now being fol-
lowed; under the presiding deity of
Mr. Stephen, the same type of attitude
is being taken, is continued. There-
fore, Sir, from the Chair say some-
thing at least. You have not mortgag-
ed your conscience....

MR. DEPUTY-SPEAKER: You
are a very good advocate.

THE MINISTER OF STATE IN
THE MINISTRY OF HOME AF-
FAIRS AND DEPARTMENT OF
PARLIAMENTARY AFFAIRS (SHRI
P. VENKATASUBBAIAH): What
was a loss to the P & T is a gain to
Parliament. He has come here.

SHRI SOMNATH CHATTERJEE:
Parliament has gained. That means,
you are trying to bring all the wor-
kers here. Then this will be Workers'
Parliament. I did not know that this
was the wonderful object behind this.
You want to bring all the striking
workers here.

Therefore, Sir, as I was saying, the
Minister should correct this printing

mistake, he should delete that provi-
sion about this.

SHRI SUDHIR GIRI (Contai): In
clause 4 one thing I want to point out.
That is if the strike goes on, then the
concerned worker would be punished.
But under the clause it has been pro-
vided that even aid to the striking
worker will also be punishable. Un-
der Art 21 of our Constitution, if
a man is arrested, he is given the right
to consult his lawyers. So if any
striking worker seeks advice from his
supporter, he is going to be punished.
That is why I have brought this
amendment to dispense with the
clause.

SHRI SAIFUDDIN CHOUDHURY
(Katwa): When the ordinance came
I thought that some good sense has
dawned on the Government. For I
thought that from now the Govern-
ment had been committing itself to
the supply of essential requirements
of the people. What we have been
demanding is that the 14 essential
articles should be supplied to the
people and the trade in these articles
should be nationalised. But that has
not come. What has come is that
those who are fighting for the realisa-
tion of these demands have been
attacked. So, Sir, we cannot support
the Bill. The main point in the
amendment is that the Central Gov-
ernment should ponder why the
workers are forced to go on strike
and they must find out the cause and
they must punish the employer or
the concerned authority for it is they
who have forced the workers to go
on a strike. That way my amendment
has been given.

SHRI A. K. ROY (Dhanbad): The
whole clause is put under a wrong im-
pression that the violent activities of
the workers are responsible for most
of the work stoppages. But actually
it is not so. If you look to the pocket
book on labour statistics in 1977-78,
31.2 and 28.7 per cent of these dis-
putes were because of wages and al-
lowances and 15.2 and 9.9 per cent

[Shri A. K. Roy]

were on bonus, 23.0 and 24.2 per cent of the disputes were on personnel and retrenchment and only 8.8 and 10 per cent was for indiscipline and violence. That is why this dismissal without charge-sheet and without inquiry and summary dismissal is something unknown to the trade union movement. And when the major cause is not the workers' indiscipline but something else then you should be more thorough and more patient in determining it. That is why I have brought the provision of National Tribunal. Let the question as to who have participated in an illegal strike be referred to the National Tribunal which is already existing. In Dhanbad it is existing in Jabalpur also it is existing. You activate the National Tribunal and refer this case to them and put some time limit. This is the amendment I have brought and I hope the Minister will accept it.

श्री बिजय कुमार यादव : डिस्मिसल को जो बात इस में कही गई है उसे हटाने के बिनामिले मैं मेरा मनोघन है। इस के अरिए मैं चेतावनी ही देना चाहता हूँ। मजदूरों का डिस्मिसल निश्चित रूप से रंग लाएगी और खुद होम मिनिस्टर को डिस्मिस होना पड़ेगा और साथ ही साथ इस सरकार को डिस्मिस होना पड़ेगा।

SHRI SUBODH SEN (Jalpaiguri): You must have observed that some hon Members of this House tried to move a Bill enjoining upon the government to provide employment to at least one member of the family. Now the general consensus in our country is this that dismissal is as bad as murder. Should we move in this atmosphere of penal punishment of dismissed? Therefore, I have asked that dismissal should be barred.

श्री जल सिंह : इन एमंडमेंट पर मंत्री साहिबान ने जो विचार दिए हैं मैं उनका बहुत मगकूर हूँ और जो मेहनत उन्होंने की है, उसकी प्रशंसा करता

हूँ। एमंडमेंट बहुत रीजेनेबल हैं लेकिन एक्सप्टेबल नहीं हैं। आपको मालूम है कि कल जब यह बिल आया था तो मंत्री साहिबान और चटर्जी साहब तथा दूसरे माननीय सदस्य कह रहे थे "एंड इट" अब समय बदला है तो कहते हैं "मैंड इट"। डार्ड घंटे बाद, बारह बजे के बाद कहेंगे "रिकोमैंड इट"। यही मेरी भाषा है। इसलिए इन एमंडमेंट्स की जरूरत नहीं है।

MR. DEPUTY-SPEAKER: I shall now put all the amendments together.

Amendments Nos. 13, 31, 54, 55, 73, 90, 114, 124, 154, 156, 157, 209, 225, 226, 228, 239, 240, 260, 386, 450, 451, 479 and 480 were put and negatived.

MR. DEPUTY-SPEAKER: The question is:

"That Clause 4 stand part of the Bill". Let the Lobbies be cleared—Lobbies have been cleared. Now, the question is:

"That Clause 4 stand part of the Bill."

The Lok Sabha divided:

Division No. 21] [21.45 hrs

AYES

श्री अहमद : श्री कमलुद्दीन

Ahmed, Shri Kamaluddin
Ankineedu Prasad Rao, Shri P.
Anuragi, Shri Godil Prasad
Appalanaidu, Shri S. R. A. S.
Azao, Shri Bhagwat Jha
Azad, Shri Ghulam Nabi
Baitha, Shri D. L.
Bajpai, Dr. Rajendra Kumari
Bareshwar Ram, Shri
Barot, Shri Maganbhai
Barway, Shri J. C.
Behera, Shri Rasabehari
Bhagwan Dev, Acharya

Bhakta, Shri Manoranjan
Bhardwaj, Shri Parasram
Bhatia, Shri R. L.
Bhoi, Dr. Krupasindhu
Bhole, Shri R. R.
Bhuria, Shri Dileep Singh
Brar, Shrimati Gurbrinder Kaur
Chakradhari Singh, Shri
Chandra Shekhar Singh, Shri
Chandrashekharappa, Shri T. V.
Chaturvedi, Shrimati Vidyawati
Chaudhary, Shri Manphool Singh
Chavan, Shri S. B.
Chennupati, Shrimati Vidya
Choudhury, Shri A. B. A. Ghani Khan
Dalbir Singh, Shri
Das, Shri A. C.
Dennis, Shri N.
Dev, Shri Sontosh Mohan
Dhandapani, Shri C. T.
Era Anbarasu, Shri
Fernandes, Shri Oscar
Gadgil, Shri V. N.
Gaikwad, Shri Udaysingrao
Gandhi, Shri Rajiv
Gehlot, Shri Ashok
Ghufran Azam, Shri
Gireraaj Singh, Shri
Gomango, Shri Giridhar
Gowda, Shri D. M. Putte
Gowda, Shri H. N. Nanje
Gulsher Ahmed, Shri
Jain, Shri Bhiku Ram
Jain, Shri Virdhi Chander
Jamilur Rahman, Shri
Jena, Shri Chintamani
Jha, Shri Kamal Nath
Kamal Nath, Shri
Kamla Kumari, Kumari
Karma, Shri Laxman
Kaushal, Shri Jagan Nath
Keyur Bhusan, Shri
Kidwai, Shrimati Mohsina

Krishna, Shri S. M.
Krishna Pratap Singh, Shri
Kuchan, Shri Gangadhar S.
Kunwar Ram, Shri
Kusuma Krishna Murthy, Shri
Lakkappa, Shri K.
Laskar, Shri Nihar Ranjan
Madhuri Singh, Shrimati
Mahajan, Shri Vikram
Mahajan, Shri Y. S.
Mahendra Prasad, Shri
Makwana, Shri Narsinh
Mallanna, Shri K.
Mallick, Shri Lakshman
Mallikarjun, Shri
Meena, Shri Ram Kumar
Mehta, Dr. Mahipatray M.
Mishra, Shri Ram Nagina
Mishra, Shri Uma Kant
Misra, Shri Harinatha
Misra, Shri Nityananda
Mohanty, Shri Brajamohan
Mohite, Shri Yashwantrao
More, Shri Ramkrishna
Murthy, Shri M. V. Chandrashekhar
Murugian, Shri S.
Muthu Kumaran, Shri R.
Muttamwar, Shri Vilas
Nagina Rai, Shri
Naikar, Shri D. K.
Nair, Shri B. K.
Namgyal, Shri P.
Narayana, Shri K. S.
Netam, Shri Arvind
Nikhra, Shri Rameshwar
Oraon, Shri Kartik
Pandey, Shri Krishna Chandra
Panigrahi, Shri Chintamani
Parashar, Prof. Narain Chand
Pardhi, Shri Keshao Rao
Parmar, Shri Hiralal R.
Parthasarathy, Shri P.
Patel, Shri Mohanbhai
Patel, Shri Shantubhai

Patel, Shri Uttambhai H.	Sharma, Shri Kali Charan
Patil, Shri A. T.	Sharma, Shri Nand Kishore
Patil, Shri Chandrabhan Athare	Sharma, Shri Nawal Kishore
Patil, Shri Shivraj V.	Shastri, Shri Dharam Dass
Patil, Shri Veerendra	Shiv Shankar, Shri P.
Patil, Shri Vijay N.	Shivendra Bahadur Singh, Shri
Patnaik, Shrimati Jayanti.	Sidnal, Shri S. B.
Pattabhi Rama Rao, Shri S. R. P.	Singh, Dr. B. N.
Pilot, Shri Rajesh	Singh Deo, Shri K. P.
Poojary, Shri Janardhana	Sinha, Shrimati Ramdulari
Potdukhe, Shri Shantaram	Soren, Shri Hari Har
Prasan Kumar, Shri S. N.	Soundarajan, Shri N.
Pullaiah, Shri Darur	Sparrow, Shri R. S.
Pushpa Devi Singh, Kumari	Sreenivasa Prasad, Shri V. Stephen,
Quadri, Shri S. T.	C. M.
Rahim, Shri A. A.	Sukhadia, Shri Mohan Lal
Rajamallu, Shri K.	Sultanpuri, Shri Krishan Dutt
Raju, Shri P. V. G.	Sunder Singh, Shri
Ram, Shri Ramswaroop	Swami, Shri K. A.
Ramalingam, Shri N. Kudanthai	Tariq Anwar, Shri
Ramamurthy, Shri K.	Tewary, Prof. K. K.
Rane, Shrimati Sanyogita	Thorat, Shri Bhausaheb
Ranga, Prof. N. G.	Tiwari, Shri Narayan Datt
Ranjit Singh, Shri	Tytler, Shri Jagdish
Rao, Shrimati B. Radhabai Ananda	Vairale, Shri Madhusudan
Rao, Shri M. Nageswara	Varma, Shri Jai Ram
Rao, Shri M. S. Sanjeevi	Venkatasubbaiah, Shri P.
Rao, Shri M. Satyanarayan	Vajaaranghavan, Shri V. S.
Raut, Shri Bhola	Virbhadra Singh, Shri
Ravani, Shri Navin	Vyas, Shri Girdhari Lal
Reddi, Shri G. S.	Wagh, Dr. Pratap
Reddy, Shri K. Obul	Wasnik, Shri Balkrishna Ramchandra
Reddy, Shri M. Ram Gopal	Yadav, Shri Ram Singh
Reddy, Shri P. Venkata	Yusuf, Shri Mohmed
Saminuddin, Shri	Zainul Basher, Shri
Sangma, Shri P. A.	NOES
Satish Prasad Singh, Shri	Acharia, Shri Basudeb
Satya Deo Singh, Prof.	Balan, Shri A. K.
Sethi, Shri Arjun	Balanandan, Shri E.
Sethi, Shri P. C.	Barman, Shri Palas
Shaktawat, Prof. Nirmal Kumari	Basu, Shri Chitta
Shakyawar, Shri Nathuram	Bhattacharya, Shri Sushil
Shankaranand, Shri B.	Biswas, Shri Ajoy
Shanmugam, Shri P.	Chakraborty, Shri Satyasadhan
	Chatterjee, Shri Somnath

Chaudhary, Shri Motibhai
Chaudhuri, Shri Tridib
Choudhury, Shri Salfudoin
Das, Shri R. P.
Ghosh, Shri Niren
Ghosh Goswami, Shrimati Bibha
Giri, Shri Sudhir
Gopalan, Shrimati Suseela
Gupta, Shri Indrajit
Halder, Shri Krishna Chandra
Hannan Mollah, Shri
Hasda, Shri Matilal
Imbichibava, Shri E. K.
Jatiya, Shri Satyanarayan
Kodiyan, Shri P. K.
Lawrence, Shri M. M.
Mahata, Shri Chitta
Maitra, Shri Sunil
Mandal, Shri Mukunda
Mandal, Shri Sanat Kumar
Mhalgi, Shri R. K.
Misra, Shri Satyagopal
Modak, Shri Bijoy
Mohammed Ismail, Shri
Mukherjee, Shrimati Geeta
Mukherjee, Shri Samar
Muzaffar Hussain, Shri Syed
Pal, Prof. Rup Chand
Parulekar, Shri Bapusaheb
Pathak, Shri Ananda
Rai, Shri M. Ramanna
Rajan, Shri K. A.
Rajda, Shri Retansinh
Riyan, Shri Bajubhan
Roy, Dr. Saradish
Roy Pradhan, Shri Amar
Saha, Shri Ajit Kumar
Saha, Shri Gadadhar
Sen, Shri Subodh
Shastri, Shri Ramavatar
Shejwalkar, Shri N. K.

Suraj Bhan, Shri
Surya Narayan Singh, Shri
Turkey, Shri Pius
Unnikrishnan, Shri M. P.
Yadav, Shri Vijay Kumar
Zainal Abedin, Shri

MR. DEPUTY-SPEAKER: Subject to correction the result of the division is: AYES 179; NOES 56

The motion was adopted.

Clause 4 was added to the Bill

21.47 hrs.

ARREST OF MEMBERS—contd.

MR. DEPUTY-SPEAKER: Before we take up Clause 5 there are one or two announcements to be made.

(i) I have to inform the House that the following wireless message dated 14 September, 1981, addressed to the Speaker, Lok Sabha, has been received from the Sub. Divisional Magistrate, Mainpuri, U. P., today:—

"Shri Raghunath Singh Verma, Member of Lok Sabha was tried at the Sub Divisional Magistrate Court Jasarana before me on a charge of contempt of Court under section 345 Cr. P. C. On 14-9-1981 I found him guilty of contempt of Court under section 345 Cr. P. C. and fined Rupees two hundred. Since fine was not paid Shri Raghunath Singh Verma was sent to jail for a period of six days (upto 19-9-1981) and is at present lodged in the District Jail, Mainpuri."

(ii) I have to inform the House that the following telegrams dated 15 September, 1981, addressed to the Speaker, Lok Sabha, have been received today:—

(1) Telegram from the District Magistrate and Collector, Dharmapuri.

"Shri K. Arjunan, M.P. was arrested on 15-9-1981 at 10.00 hours at IV Cross Road, Dharmapuri of Tamil nadu under preventive measures as he

*The following Members also recorded their votes:
AYES: Sarvshri Zeil Singh, Seth Hembram and Ramayan Rai.
NOES: Shri A. K. Roy, and Shri Ajit Bag.

[Mr. Deputy Speaker]

was likely to picket collectorate Dharmapuri along with twenty DMK volunteers. A case is registered under Crime No. 646/81 under section 151 Cr. P. C. read with section 7(i) (A) Criminal Law Amendment Act. He is being lodged in the Central Jail, Salem."

(2) Telegram from the Inspector of Police, Law and Order, Salem Town.

"Shri C. Palaniappan, M.P. and Shri M. Kandaswamy, M.P. were arrested at 10.15 A.M. on 15-9-1981 at Old Market Street Fort, Salem Town, for attempting to take out a procession violating regulatory order. They are being remanded."

21.49 hrs.

ESSENTIAL SERVICES MAINTENANCE BILL—contd.

Clause 5—(Penalty for illegal strikes)

MR. DEPUTY-SPEAKER: Now amendments to Clause 5 will be moved.

SHRI CHITTA BASU: I beg to move:

Page 4, line 20,—

for "six months" substitute "seven days" (14).

Page 4, line 20,—

for "one thousand" substitute "ten" (15).

SHRI RAMAVATAR SHASTRI: I beg to move:

Page 4, line 20,—

for "six months" substitute "One day" (32).

Page 4, line 20,—

for "one thousand rupees" substitute "one rupee" (33).

Page 4, lines 20 and 21,—

omit "or with both" (34).

SHRI SUNIL MAITRA: I beg to move:

Page 4,—

for lines 20 and 21, substitute—
"one day or with fine which may extend to ten paise, or both" (74).

PROF. RUP CHAND PAL: I beg to move:

Page 4, line 17,—

omit "which is illegal" (93).

Page 4, lines 19 and 20,—

omit "imprisonment for a term which may extend to six months, or both" (94).

Page 4, lines 20 and 21,—

for "which may extend to one thousand rupees, or with both" insert "of 10 paise" (95).

SHRI KRISHNA CHANDRA HALDER: I beg to move:

Page 4,—

for lines 19 to 21 substitute "shall not be punishable and may be liable to fine rupees five only" (115).

SHRI SATYANARAYAN JATIYA: I beg to move:

Page 4, line 18,—

omit "or otherwise takes part in" (125).

SHRI BASUDEV ACHARYA: I beg to move:

Page 4, line 20,—

for "six months" substitute—
"one week" (138).

SHRI SOMNATH CHATTERJEE: I beg to move:

Page 4, lines 17 and 18,—

omit "which is illegal under this Act," (158).

SHRI SUSHIL BHATTACHARYA: I beg to move:

Page 4, for lines 20 and 21,—

substitute "one day or with fine which may extend to one rupee only" (191).

SHRI SUDHIR GIRI: I beg to move:

Page 4, lines 19 and 20,—

omit "with imprisonment for a term which may extend to six months, or" (211).

Page 4, lines 20 and 21,—

omit "or with both" (212).

SHRI SAIFUDDIN CHOUDHURY: I beg to move:

Page 4,—

for clause 5 substitute—

"5. Any person who forces workers to commence a strike shall be punishable with imprisonment for a term which may extend to six months or with fine which may extend to one thousand rupees or with both." (229)

SHRI HANNAN MOLLAH: I beg to move:

Page 4, line 20,—

for "six months" substitute "six days". (241)

SHRI SAMAR MUKHERJEE: I beg to move:

Page 4, line 20,—

for "six months" substitute—

"one day". (265).

SHRI M. M. LAWRENCE: I beg to move:

Page 4, lines 19 to 21,—

for "imprisonment for a term which may extend to six months, or with fine which may extend to one thousand rupees, or with both".

substitute "fine not exceeding one hundred rupees". (342)

SHRI A. K. ROY: I beg to move:

Page 4, lines 19 to 21,—

for "imprisonment for a term which may extend to six months,

or with fine which may extend to one thousand rupees, or with both."

substitute—

"imprisonment or fine as would be decided by the National Tribunal for labour with extended jurisdiction to which the case would be referred". (387).

SHRI VIJAY KUMAR YADAV: I beg to move.

Page 4, lines 19 to 21,—

for "imprisonment for a term which may extend to six months, or with fine which may extend to one thousand rupees, or with both".

Substitute "fine which may extend to fifty rupees" (452).

SHRI M. M. LAWRENCE: I beg to move:

Page 4,—

for lines 19 to 21, substitute—

"shall not be punished and may be liable to fine of rupees two only" (502).

MR. DEPUTY-SPEAKER: These amendments are before the House.

Mr. Chitta Basu, we have had sufficient discussion. Now, please read out your amendment only. There is no time. Please cooperate.

SHRI CHITTA BASU: This clause relates to the penalty for illegal strike. Sir, the penalty which has been provided is 6 months imprisonment and 1,000 Rupees fine or both. This, to say the least, is savage treatment, meted out to them. Even at this late stage I have suggested in my amendment that you should reduce the quantum of penalty; Imprisonment should be for 7 days only and fine of only Rs. 10; there should not be both fine and imprisonment. This is my submission. I hope the hon. Minister will accept these amendments.

श्री रामावतार शास्त्री : उपाध्यक्ष महोदय, धारा 5 में गैरकानूनी हड़ताल में भाग लेने वालों को छः महीने की सजा या एक हजार रुपये का जुर्माना या दोनों सजायें देने की व्यवस्था है। मैं अपने संशोधन 32, 33 और 34 के द्वारा चाहता हूँ कि छः महीने की सजा को कम कर के एक दिन कर दिया जाए, एक हजार रुपये के जुर्माने को कम करके एक रुपया कर दिया जाए और या दोनों को हटा दिया जाए, अर्थात् या तो एक दिन की सजा हो या एक रुपये का जुर्माना हो, दोनों न हों। गृह मंत्री जी को मजदूरों को मुहम्मद में इन साधारण संशोधन, को मान लेना चाहिए।

SHRI SUNIL MAITRA: Sir, no worker goes on strike just for the fun of it. Any worker goes on strike only when he has got enough reasons to go on strike and when he is on strike he is starved. Sir, the punishment which is meted out to him is, to put it very mildly, savage in nature. Therefore I propose this in my amendment that instead of 6 months, the punishment should be for one day...

SHRI INDRAJIT GUPTA: For 6 hours.

SHRI SUNIL MAITRA: Sir, instead of Rs. 1,000 the fine should be only 10 paise. I hope the Minister will accept it.

SHRI RUP CHAND PAL: This Government is determined to ban strikes. The working class of this country also determined to go on strike whenever they find that strike is necessary. We find that the country will suffer and the economy will suffer, if such a sort of confrontation between the Government and the Working Class is allowed to be continued. In such a situation, when the Government does not want to withdraw the Bill. What I suggest in my amend-

ment is that you should completely do away with the provision of imprisonment. This is my request. Secondly, when the workers go on strike, they have no money to pay at all. A simple fine of 10 paise will be quite enough. This is what I have suggested in my amendment. I hope that the hon. Minister will accept it.

SHRI KRISHNA CHANDRA HALDER: I am against declaring any strike illegal. My amendment No. 115 to Clause 5 states

"shall not be punishable and may be liable to fine Rs. 5 only".

I have also suggested a fine of Rs. 100/- or both imprisonment and fine. I have brought this amendment which is very reasonable. I would request the Home Minister to accept my amendment.

श्री सरनानन्द जटिया : उपाध्यक्ष महोदय, इस धारा में कहा गया है "या उस में अन्तर्भाव भाग लेगा।" यदि किसी अधिकारी को किसी भी आदमी से कोई नाराजगी हो, तो वह उसको फंसाने के लिए इस प्रावधान का दुरुपयोग कर सकता है। इस संभावना को समाप्त करने के लिए मेरा संशोधन है कि इन शब्दों को निकाल दिया जाए।

SHRI BASUDEB ACHARIA (Bankura): In Clause No. 5, it is stated that for participating in any illegal strike, he will be imprisoned for six months. My amendment is that this period of imprisonment should be reduced to one week and these two penalties—imprisonment and fine should not be imposed. It should be either of the two.

SHRI SOMNATH CHATTERJEE: The amendment that I have given may seem to be not very serious. One may think that when we are suggesting one day's imprisonment in place of six months or Rs. 10 fine instead of Rs. 1000 fine, probably we are not serious. This is only to show our contempt for the Bill and the provision that they are making. This is only to show our contempt for the Bill and

the provision that they are making. This is playing with fire and I am submitting to the House that the Hon. Minister will please consider my amendment and try to make it a reasonable one.

SHRI SUSHIL BHATTACHARYA: (Burdwan): I am against the severe penal measures as proposed in Clause 5. My amendment is that in place of six months, it should be one day and instead of a fine of Rs. 1000, it should be one rupee only.

SHRI SUDHIR GIRI: I have brought this amendment because this clause is inhuman and immoral. Even if the worker is punished with a fine, the provision has been made that he will also be imprisoned and if he is imprisoned, the members of his family will suffer. Even they will face death. So, I have brought this amendment so that they can do away with their proposed punishment of imprisonment.

SHRI SAIFUDDIN CHOUDHURY: The Bill blames the worker for hindering the industrial development and the progress of the country, and is meting out punishment to him. In my opinion, he is not to be blamed. Workers are the creators of the wealth of our society. Government must know that it is the working class which can build the South Block and also Raj Ghats.

22.00 hrs.

SHRI HANNAN MOLLAH: Through my amendment No. 241, I propose to reduce the term of punishment and the amount of fine involved. I request that this may be accepted.

MR. DEPUTY-SPEAKER: Shri Samar Mukherjee does not want to speak on his amendment No. 240. Now Shri M. M. Lawrence on his amendments No. 342 and 502.

SHRI M. M. LAWRENCE: In our country, the worker has got only the labour power; and he is helping the employer to produce the products and commodities. The employer purchases that labour of the workers and sells it in the form of products and makes profit and amasses wealth.

Only through collective bargaining can the working class get some benefits like wage hike, allowances and bonus. By passing this Bill, Government is taking away the collective bargaining power, only to the advantage of the exploiter. This Government has no faith in the working class of our country. This Bill is the declaration of that attitude of this Government towards the working class who are the creators of valuable wealth and are the foremost patriots of our country who have worked and fought in the forefront for the liberation of our country from the stranglehold of the imperialists. Government is going against the spirit of the freedom struggle. It is defaming and dishonouring the martyrs who fought for the freedom of our beloved country. This Government is trying to handcuff the workers, and to jail them—or no mistake of theirs.

MR. DEPUTY-SPEAKER: Handcuff is mentioned anywhere in the Bill.

SHRI M. M. LAWRENCE: Sir, it is implied there. There are using only the collective bargaining power. If the employer—whether it is the Government or the private employer—is not willing to accede to his reasonable demand for wage hike, bonus or allowances through bargaining, he must have the right to strike. Instead of allowing that Government wants the right to jail the struggling workers. It is inhuman barbarous and undemocratic. It should be withdrawn. My amendment will take away the jail portion of the punishment. I strongly appeal to the Home Minister to accept my amendment.

SHRI A. K. ROY: As the ineffectiveness and sluggishness of Government machinery, especially the conciliation machinery is responsible for most of the work stoppages, we should be more cautious in prescribing penal provisions against workmen. In the Central Labour Department, 1961 disputes were there

[Shri A. K. Roy] : In 1976. Out of them, 1000 failed. No settlement came. Only one was referred to arbitration. So this is the record. I say penal provisions like imprisonment etc. should be left to the discretion of the national tribunal or some such high powered board so that it could be judiciously applied.

श्री विजय कुमार यादव : मैंने दो प्रमोशन दिए हैं। एक की चर्चा तो और लोगों ने की है। दूसरा मैंने यह दिया है—इस में यह है कि यदि कोई व्यक्ति ऐसी कोई हड़ताल जो इस अधिनियम के अधीन प्रबंध है, प्रारम्भ करेगा, या ऐसी हड़ताल पर जाएगा या रहेगा या उस में अन्यथा भाग लेगा—या जो “अन्यथा भाग लेगा” इस में दिया गया है, इस के पीछे सरकार की बदनीयती है और इसके जरिए वह मजदूरों को जो संगठित करने वाले हैं, उसको नेतृत्व प्रदान करने वाले ट्रेड यूनियन लीडर्स हैं ऐसे लोगों पर कार्यवाही करना चाहती है, इसलिए मैंने दिया है कि इस को हटा दिया जाय और मैं समझता हूँ कि इस को मानने में मंत्री जी को कोई एतराज नहीं होगा।

श्री जल सिंह : उपाध्यक्ष महोदय, मेम्बर साहबान कुछ ऐसे भी हैं जिन्होंने पहले भी प्रमोशन पेश की और अब और की, घाइन्दा भी कुछ करेंगे, उनकी मेहनत की मैं प्रशंसा करता हूँ। मैंने बहुत ध्यान से उन को सुना और मैं अपने पास वह सारे प्रमोशन ले रखे हुए हूँ। अगर जरूरत पड़ी तो किसी समय प्रयोग में लाऊंगा और उन प्रमोशन को ले लाऊंगा। अभी तो यह बिल जो है ऐक्ट बन कर जाएगा और उस पर फिर प्रयत्न होगा। मेरी यह प्रार्थना है मेम्बर साहबान से, वे यह चाहते हैं कि मजदूरों को राहत हो

और हर कारखाने में स्ट्राइक हो, हम चाहते हैं कि मजदूरों और हमारे देश का फ्यूचर ब्राइट हो, इसलिए मैं इनकी बात नहीं मान सकता।

MR. DEPUTY SPEAKER: Now I shall put all the amendments moved to Clause 5 to the vote of the House.

Amendments Nos 14, 15, 32, 33, 34, 74, 93, 94, 95, 115, 125, 138, 158, 191, 211, 212, 229, 241, 265, 342, 387, 452 and 502 were put and negatived.

MR. DEPUTY-SPEAKER: The question is:

“That Clause 5 stand part of the Bill.”

The Lok Sabha divided:

Division No. 22 [22.11 hrs.]

AYES

Ahmed, Shri Kamaluddin
Ankineedu Prasad Rao, Shri P.
Anuragi, Shri Godil Prasad
Appalanaidu, Shri S. R. A. S.
Arakal, Shri Xavier
Azad, Shri Bhagwat Jha
Azad, Shri Ghulam Nabi
Baitha, Shri D. L.
Bajpai, Dr. Rajendra Kumari
Baleshwar Ram, Shri
Bansi Lal, Shri
Barot, Shri Maganbhai
Barway, Shri J. C.
Bobera, Shri Rasabehari
Bhagwan Dev, Acharya
Bhakta, Shri Masoranjan
Bhardwaj, Shri Parasram
Bhatia, Shri R. L.
Bhol, Dr. Krupeendhu
Bhole, Shri R. R.
Bhuria, Shri Dileep Singh
Brar, Shrimati Gurbinder Kaur
Brijendra Pal Singh, Shri

Chakradhari Singh, Shri
Chandra Shekhar Singh, Shri
Chandrashekharaappa, Shri T. V.
Chaturvedi, Shrimati Vidyawati
Chaudhary, Shri Manphool Singh
Chavan, Shri S. B.
Chennupati, Shrimati Vidya
Choudhury, Shri A. B. A. Ghani Khan
Dalbir Singh, Shri
Das, Shri A. C.
Dennis, Shri N.
Dev, Shri Sontosh Mohan
Dhandapani, Shri C. T.
Era Anbarasu, Shri
Gadgil, Shri V. N.
Gadhavi, Shri Bheravaḍan K.
Gaikwad, Shri Udaysingrao
Gandhi, Shri Rajiv
Gehlot, Shri Ashok
Ghufran Azam, Shri
GireraJ Singh, Shri
Gomango, Shri Giridhar
Gounder, Shri A. Senapathi
Gowda, Shri D. M. Putte
Gowda, Shri H. N. Nanje
Gulsher Ahmed, Shri
Jadeja, Shri Daulatsinhji
Jain, Shri Bhiku Ram
Jain, Shri Nihal Singh
Jain Shri Virdhi Chander
Jamilur Rahman, Shri
Jena, Shri Chintamani
Jha, Shri Kamal Nath
Kamla Kumari, Kumari
Karma, Shri Laxman
Keyur Bhusan, Shri
Kidwai, Shrimati Mohsina
Krishna, Shri S. M.
Krishna Pratap Singh, Shri
Kuchan, Shri Gangadhar S.
Kunwar Ram, Shri
Kusuma Krishna Murthy, Shri
Lakkappa, Shri K.
Mahendra Prasad, Shri

Makwana, Shri Narsinh
Mallanna, Shri K.
Mallick, Shri Lakshman
Mallikarjun, Shri
Mallu, Shri Anantha Ramulu
Meena, Shri Ram Kumar
Mehta, Dr. Mahipatray M.
Mishra, Shri Ram Nagina
Mishra, Shri Uma Kant
Misra, Shri Harinatha
Misra, Shri Nityananda
Mohanty, Shri Brajamohan
Mohite Shri Yashwantrao
More, Shri Ramkrishna
Motilal Singh, Shri
Murthy, Shri M. V. Chandrashekhara
Murugian, Shri S.
Muthu Kumaran, Shri R.
Muttamwar, Shri Vilas
Nagina Rai, Shri
Naikar, Shri D. K.
Nair, Shri B. K.
Namgyal, Shri P.
Narayana, Shri K. S.
Netam, Shri Arvind
Nikhra, Shri Rameshwar
Oraon, Shri Kartik
Pandey, Shri Krishna Chandra
Panigrahi, Shri Chintamani
Parashar, Prof. Narain Chand
Pardhi, Shri Keshao Rao
Parmar Shri Hiralal R.
Parthasarathy, Shri P.
Patel, Shri Mohanbhai
Patel, Shri Shantubhai
Patel, Shri Uttambhai H.
Patil, Shri A. T.
Patil, Shri Chandrabhan Athare
Patil, Shri Shivraj V.
Patil, Shri Veerendra
Patil, Shri Vijay N.
Patnaik, Shrimati Jayanti
Pattabhi Rama Rao, Shri S. B. P.
Pilot, Shri Rajesh,
Poojary, Shri Janardhana

Prasan Kumar, Shri S. N.
Pullaiah, Shri Darur
Pushpa Devi Singh, Kumari
Quadri, Shri S. T.
Rahim, Shri A. A.
Raju, Shri P. V. G.
Ram, Shri Ramswaroop
Ran Vir Singh, Shri
Rane, Shrimati Sanyogita
Ranga, Prof. N. G.
Ranjit Singh, Shri
Rao, Shrimati B. Radhabai Ananda
Rao, Shri M. Nageswara
Rao, Shri M. S. Sanjeevi
Rao, Shri M. Satyanarayan
Raut, Shri Bhola
Ravani, Shri Navin
Reddi, Shri G. S.
Reddy, Shri K. Obul
Reddy Shri M. Ram Gopal
Reddy, Shri P. Venkata
Saminuddin, Shri
Sangma, Shri P. A.
Satish Prasad Singh, Shri
Satya Deo Singh, Prof.
Sebastian, Shri S. A. Dorai
Sethi, Shri Arjun
Sethi, Shri P. C.
Shaktawat, Prof. Nirmala Kumari
Shankaranand, Shri B.
Shanmugam, Shri P.
Sharma, Shri Kali Charam
Sharma, Shri Nand Kishore
Sharma, Shri Nawal Kishore
Shastri, Shri Dharam Das
Shiv Shankar, Shri P.
Shivendra Bahadur Singh, Shri
Sidnal Shri S. B.
Singh, Dr. B. N.
Singh Deo, Shri K. P.
Sinha, Shrimati Ramchandra

Soren, Shri Shibu
Sparrow, Shri R. S.
Sreenivasa Prasad, Shri V.
Stephen, Shri G. M.
Sukhadia, Shri Mohan Lal
Sultanpuri, Shri Krishan Dutt
Sunder Singh, Shri
Swami, Shri K. A.
Tariq Anwar, Shri
Tayyab Hussain, Shri
Tewary, Prof. K. K.
Thorat, Shri Bhausaheb
Tiwari, Shri Narayan Datt
Tytler, Shri Jagdish
Vairale, Shri Madhusudan
Varma, Shri Jai Ram
Venkatasubbaiah, Shri P.
Vijayaraghavan, Shri V. S.
Virbhadra Singh, Shri
Vyas, Shri Girdhari Lal
Wagh, Dr. Pratap
Wasmik, Shri Balkrishna Ramchandra
Yadav, Shri Ram Singh
Yusuf, Shri Mohmed
Zail Singh, Shri
Zainul Basher, Shri

NOTES

Acharia, Shri Basudeb
Balan, Shri A. K.
Balanandan, Shri E.
Barman, Shri Palas
Basu, Shri Chitta
Bhattacharyya, Shri Sushil
Biswas, Shri Ajoy
Chakraborty, Shri, Satyasadhan
Chatterjee, Shri Somnath
Chaudhary, Shri Matibhai
Chaudhuri, Shri Tridib
Choudhury, Shri Saifuddin
Das, Shri R. P.
Ghosh Goswami, Shrimati Bibha
Giri, Shri Sudhir
Gopalan, Shrimati Susela

Gupta, Shri Indrajit
Halder, Shri Krishna Chandra
Hannan Mollah, Shri
Hasda, Shri Matilal
Imbichihava, Shri E. K.
Jatiya, Shri Satyanarayan
Kodiyan, Shri P. K.
Lawrence, Shri M. M.
Mahata, Shri Chitta
Mandal, Shri Mukunda
Mandal, Shri Sanat Kumar
Mhalgi, Shri R. K.
Misra, Shri Satyagopal
Modak, Shri Bijoy
Mohammed Ismail, Shri
Mukherjee, Shrimati Geeta
Mukherjee, Shri Samar
Muzaffar Hussain, Shri Syed
Pal, Prof. Rup Chand
Parulekar, Shri Bapusahab
Pathak, Shri Ananda
Rai, Shri M. Ramanna
Rajao, Shri K. A.
Rajda, Shri Ratansinh
††Ramamurthy, Shri K.
Riyan, Shri Baju Ban
Roy, Dr. Saradish
Roy Pradhan, Shri Amar
Saha, Shri Ajit Kumar
Saha, Shri Gadadhar
Sen, Shri Subodh
Shastri, Shri Ramavatar
Shejwalkar, Shri N. K.
Suraj Bhan, Shri
Surya Narayan Singh, Shri
Tirkey, Shri Pius
Unnikrishnan, Shri K. P.
Varma, Shri Ravindra

Yadav, Shri. Vijay Kumar
Zainal Abedin, Shri

MR. DEPUTY-SPEAKER: Subject to correction, the result* of the division is: Ayes 179; Noes 56.

The motion was adopted.

Clause 5 was added to the Bill.

MR. DEPUTY-SPEAKER: Hon. Members, a humble request to the hon. Members from the Chair. The spirit of all the amendments, as I could understand from the Government, is very well respected. Even our Home Minister has said that the amendments are quite reasonable, but they are not acceptable to him. Therefore, the spirit of the amendment is that the Government should be very careful in implementing this Act. Therefore, they have understood the spirit of the amendments. I would very much ask the Members from the Opposition not to press their amendments and as one belonging to the Opposition also, I am making this request. The spirit of the amendments has been understood by the Government. Is it not, Mr. Home Minister? The Home Minister has understood it. It is already 10 o'clock. Therefore, will you kindly cooperate?

SHRI SUNIL MAITRA: Are you asking us to.... (Interruptions).

MR. DEPUTY-SPEAKER: I will make this request after one hour. Let me try.

Clause 8—(Penalty for instigation, etc.)

SHRI CHITTA BASU: I beg to move:

Page 4, line 20,—

for "one year" substitute "one month" (16).

††Wrongly voted for NOES

*The following Members also recorded their votes:

AYES: Sarvshri Seth Hembrom, Shantaram Potdukhe, Ramayan Raj and K. Ramamurthy;

NOES: Sarvshri A. K. Roy, Niren Ghosh, Sunil Maitra and Ajit Bag.

[Shri Chitta Basu]

Page 4, line 25,—

for "two thousand" substitute "ten" (17).

SHRI MUKUNDA MANDAL: I beg to move:

Page 4, line 20,—

for "one year" substitute "two days" (58).

Page 4, line 25,—

for "two thousand rupees" substitute "rupees two" (59)

SHRI SUNIL MAITRA: I beg to move:

Page 4, line 25,—

for "to one year" substitute "till the rising of the court" (75).

Page 4, line 25,—

for "two thousand rupees" substitute "five-paise" (76).

SHRI RUP CHAND PAL: I beg to move:

Page 4, lines 24 and 25,—

omit "with imprisonment for a term which may extend to one year, for" (96).

Page 4 lines 25 and 26,—

for "which may extended to two thousand rupees, or with both"

Substitute "of 5 paise" (97).

SHRI KRISHNA CHANDRA HALDER: I beg to move:

Page 4,—

for lines 24 to 26,—

substitute "Act shall not be punishable with imprisonment but may be charged rupees five as fine" (116).

SHRI SATYANARAYAN JATTYA: I beg to move:

Page 4, line 23,—

omit, "or otherwise acts in furtherance of," (126).

SHRI SOMNATH CHATTERJEE: I beg to move:

Page 4,—

for clause 6, substitute—

"6. Any person who knowingly encourages unjustified strike may be

punishable with fine which may extend to ten rupees." (161).

Page 4, line 25,

for "year" substitute "week" (162).

SHRI SUSHIL BHATTACHARYA: I beg to move:

Page 4, for lines 25 and 26,—

substitute "one day or with fine which may extend to one rupee only" (192).

SHRI SAIFUDDIN CHAUDHURY: I beg to move:

Page 4,—

for clause 6 substitute—

"6 Any person who instigates or incites other persons to attack workers causing disturbance in production shall be punishable with imprisonment for a term which may extend to one year or with fine which may extend to two thousand rupees or with both." (230).

SHRI HANNAN MOLLAH: I beg to move:

Page 4, line 25,—

for "one year" substitute "one day" (244).

Page 4, line 25,—

for "two thousand" substitute "twenty five" (245).

SHRI SATYAGOPAL MISRA: I beg to move:

Page 4, line 25,—

for "two thousand rupees" substitute "one rupee" (307).

Page 4, lines 25 and 26,—

omit, "or with both" (308).

SHRI A. K. ROY: I beg to move:

Page 4, lines 24 to 26,—

for imprisonment for a term which may extend to one year, or with fine which may extend to two thousand rupees, or with both".

substitute—

"imprisonment or fine as would be decided by the National Tribunal for labour to which the case would be referred" (388).

SHRI VIJAY KUMAR YADAV: I beg to move:

Page 4, lines 24 to 26,—

for "imprisonment for a term which may extend to one year, or with fine which may extend to two thousand rupees, or with both"

substitute "fine which may extend to twenty-one rupees" (454).

SHRI AJAY BISWAS: I beg to move:

Page 4, line 25,—

for "two thousand" substitute "one" (492).

SHRI M. M. LAWRENCE: I beg to move:

Page 4,—

for lines 24 to 26, substitute—

"Act shall not be punishable with imprisonment but may be fined for rupees two" (503).

MR. DEPUTY-SPEAKER: I am making another request from the Chair. Hon. members who have moved their amendments will only read their amendments. I am not going to allow any speech. I am requesting Mr. Chitta Basu, who is a very good friend of mine. You just read your amendments.

SHRI CHITTA BASU: I believe you are hungry.

MR. DEPUTY-SPEAKER: No, Sir. I am very much worried that every one of you is hungry.

SHRI CHITTA BASU: I have learnt from Shri Somnath Chatterjee that you had also been a victim of these rules.

MR. DEPUTY-SPEAKER: Why do you bring in that extraneous things?

SHRI CHITTA BASU: I have pointed out on an earlier occasion that the

Government wants to crush organised trade union movement. You look at the wording of the clause: "Any person who instigates or incites other persons..." Did you instigate? Did you incite?

MR. DEPUTY-SPEAKER: I have forgotten everything now.

SHRI CHITTA BASU: I believed you did not incite. I firmly believe that you wanted to uphold the right of the workers to go on strike as a last weapon to realise their demands. But the entire thrust of the Government's move is to annihilate, emasculate and destroy the organised trade union movement in this country. Therefore, in order to break the strike, in order to break the unity and the trade union rights of the workers, they have sought to punish the trade union leaders. The punishment is one year's imprisonment. If a worker goes on strike, the punishment for him is six months. But if you incite them to go on strike, your punishment is one year's imprisonment. Suppose yourself or myself or any M.P. goes to Tamil Nadu and find some workers on strike. They come to you and you express your support to them. Do you know what will happen? According to this clause you will also be arrested and put behind the bar for one year and fined Rs. 2000/-.

MR. DEPUTY-SPEAKER: So also you.

SHRI CHITTA BASU: Yes, Sir, I am also in the same category. For what fault of mine should I go to prison?

MR. DEPUTY-SPEAKER: It is a promotional avenue for a public men to go to the prison.

SHRI CHITTA BASU: I have given a modest amendment. I said that the imprisonment should be for one month and the fine should be Rs. 10/- which is within the reach of the worker.

SHRI INDRAJIT GUPTA: Will it, be acceptable in Khalistan currency?

SHRI MUKUNDA MANDAL: This clause contradicts the fundamental

[Shri Mukunda Mandal]

right to form association and union. The penalty for instigating or inciting is Rs. 2,000/- fine and one year's jail. My amendment is that the imprisonment should be for two days and a fine of Rs. 2/- only.

MR. DEPUTY-SPEAKER: The hon. Members are not serious when they say, one rupee or two rupees. They should behave responsibly.

SHRI MUKUNDA MANDAL: This clause is directed against the political opponents and trade union workers.

MR. DEPUTY-SPEAKER: Why should you not be bold enough and say that you do not want fine? When you say, ten paise, the means, you accept the principle of fine.

SHRI SUNIL MAITRA: You said that the opposition should behave responsibly. You cannot expect this Government to behave responsibly by bringing forward such a Bill. What do you mean by instigation? What do you mean by incitement?

(Interruptions)

MR. DEPUTY-SPEAKER: Mr. Sunil Maitra, you please address me.

(Interruptions)

MR. DEPUTY-SPEAKER: Mr. Sunil Maitra, you please address the chair; I am requesting you.

(Interruptions)

MR. DEPUTY-SPEAKER: Order, order Mr. Sunil Maitra, why do you look at them? You see me. Now order has been restored. Please continue.

(Interruptions)

MR. DEPUTY-SPEAKER: No side talk please. Order, orders Please you must all co-operate.

(Interruptions)

MR. DEPUTY-SPEAKER: Order, order. Nothing is being recorded without my permission.

(Interruptions)

MR. DEPUTY-SPEAKER: Mr. Ram-avatar Shastri, do not exhaust yourself. You have got to speak also. Order, order please. All of you may sit down. Now, Mr. Maitra may speak.

SHRI SUNIL MAITRA: By incitement or by instigation, they only mean support to the strike.

(Interruptions)

MR. DEPUTY-SPEAKER: Nothing has gone on record.

SHRI SUNIL MAITRA: That means, if I support the strike..

(Interruptions)

MR. DEPUTY-SPEAKER: The others have not gone on record.

SHRI SUNIL MAITRA: Why should it not go on record, Sir?

MR. DEPUTY-SPEAKER: I have already said that any speech or any discussion without my permission will not go on record. It is a general rule. You can now speak. Your speech will go on record.

SHRI SUNIL MAITRA: The moment you say it, it will not go on record? You are repeatedly saying this.

MR. DEPUTY-SPEAKER: Don't put that question to me, Mr. Maitra. Man is always not happy. Any speech or any discussion without the permission of the Chair will not go on record. That is the general ruling by the Speaker.

SHRI SUNIL MAITRA: In clause 6, by instigation and incitement they only mean support to the strike. If I support the strike, I will have to go to jail for six months and I will be fined Rs. 2000/-.

(Interruptions)

MR. DEPUTY-SPEAKER: You please address me.

(Interruptions)

SHRI SUNIL MAITRA: So, my amendment is that instead of imprison-

ment for one year it should be, 'till the rising of the court', and the fine should be five paise instead of Rs. 2000.

MR. DEPUTY-SPEAKER: Shri Rup Chand Pal.

PROF. RUP CHAND PAL: Sir, this Government is behaving like a colonial power.

(Interruptions)

MR. DEPUTY-SPEAKER: Please address the Chair.

PROF. RUP CHAND PAL: They are trying to suppress the..

(Interruptions)

MR. DEPUTY-SPEAKER: Please come to your amendment.

PROF. RUP CHAND PAL: Sir, this is a very dangerous and pernicious clause. By using this they will try to....

AN HON. MEMBER: He is speaking on the amendment or on something else?

PROF. RUP CHAND PAL: Yes, on the amendment. On amendment I am speaking. Have you read it?

(Interruptions)

MR. DEPUTY-SPEAKER: Please address the chair.

(Interruptions)

MR. DEPUTY-SPEAKER: You please sit down. Any remark made on any side without my permission, please do not record.

(Interruptions)

PROF. RUP CHAND PAL: This provision will be used against the political opponents and it will be used against whoever does not support them. We are very serious about this and we are very serious about what they are going to do. So we have tried in my amendment to diminish the suffering of the people and my amendment is to do away with the provision of imprisonment, do away with the provision of fine and bring it down to five paise.

22.33 hrs.

(SHRI GULSHAK AHMED in the Chair)

SHRI KRISHNA CHANDRA HALDER: Mr. Chairman, Sir, my amendment No. 116 is to clause 6. I wanted to substitute page 4, lines 24 to 26, where it is written:

"Act shall be punishable with imprisonment for a term which may extend to one year or with fine which may extend to two thousand rupees or with both."

I want to substitute the above with the following wording:

"Act shall not be punishable with imprisonment, but may be charged rupees five as fine."

Here it is written, 'penalty for instigation. My colleague has already said that if anybody supports a strike then the Government will say that he is instigating the strike. Sir, really this should not be there in clause 6. So, my amendment is very simple, reasonable and I am against any punishment—imprisonment or fine of Rs. 1,000/- As mentioned in my amendment, fine of Rs. 5/- should be enough. I think you will advise the hon. Minister to accept my reasonable amendment.

श्री सत्यनारायण बाबिया: समापति जी, धारा 6 में ये शब्द हैं—“या उसे अश्वसर करने में प्रत्यक्षा कार्य करेगा” यह शब्द इस में से निकाल दिए जायें। अगर इनको रखा गया तो किसी भी व्यक्ति या नागरिक को संशय के आधार पर परेशान करने की उसमें काफी गुंजाइश है। यह ठीक बात नहीं होगी। यह प्रजातंत्र के खिलाफ है, स्वतंत्रता के खिलाफ है, इसलिए मेरा कहना यह है कि इस सारी बात को रखने के पीछे दुराशयपूर्ण उद्देश्य भी हो सकता है और इसी संशय को हटाने के लिए इन शब्दों को हटा दिया जाये।

SHRI AJOY BISWAS: My amendment is simple one. If one goes on strike and if his mother serves the food, then his mother will be arrested.

MR. CHAIRMAN: You tell us what do you want?

(Interruptions)

SHRI AJOY BISWAS: His father will be arrested and fined. It is a rule of jungle. So my amendment is that the fine should be Re. 1/- and jail will be for one day.

SHRI SUSHIL BHATTACHARYA: This is another penal provision. This will also be used against the trade union organisers, particularly against the political opponents. That is why I have opposed this clause. I have suggested that instead of one year it should be one day and instead of a fine of Rs. 2,000 the fine should be Re. 1 only.

SHRI SAIFUDDIN CHOUDHURY: I fail to understand how such a provision can be brought by them.

SHRI SATYAGOPAL MISRA: This is a direct attack on the trade union leaders (Interruptions). It will be used against the political opponents. Not only in our country....

MR. CHAIRMAN: Do you want punishment or not?

SHRI SATYAGOPAL MISRA: Not only in our country but also in the whole world trade union leaders are respected by all sections of people (Interruptions). Shri Azad and Shri Venkatasubbaiah, they do not bother about it. I have given my amendment to reduce the punishment because this particular clause of Black Bill is directed against the trade union leaders and directed to be used against political opponents.

SHRI A. K. ROY: This particular savage clause is directed against the trade unions. The ambit of the clause is very wide. 'Exciting', 'inciting'—

these are the terms. It has got every scope to be mis-used by any executive. So, it warrants some caution. Who has to decide whether the man is really exciting or inciting and what is the seriousness of this instigation and quantum of that incitement? That is why, in this amendment I have suggested that the matter should be referred to some national tribunal or high-powered body presided over by some High Court judge so that they can investigate it and correctly assess it even under the purview of the present Bill.

This is my submission.

श्री विजय कुमार यादव : सभापति महोदय, मैं समझता हूँ कि सरकार द्वारा इस कानून का इस्तेमाल अपने राजनैतिक विरोधियों के खिलाफ किया जायेगा। इस लिए मैंने सजा को घटाने के लिए यह संशोधन रखा है।

SHRI M. M. LAWRENCE: Mr. Chairman, Sir, those who are willing to learn the lesson of history will agree with me that no Government in the world has succeeded for ever in punishing the workers and the people who have supported their cause. Hitler, Mussoline, Franco and Salazar and other dictators who passed so many fascist enactments have doomed for ever and their traces have gone from history. They have been thrown into the dustbin of history. Likewise, a day will come, the people who now pass this kind of draconian measure will be thrown into the dustbin of history by the people. You take away the punishment clause and make it only Rs. 2/- as fine.

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI YOGENDRA MAKWANA): The Home Minister has already explained that after due consideration, all the amendments are not acceptable.

MR. CHAIRMAN: I will now put all the Amendments moved to Clause 6 together to the vote of the House.

Amendments Nos. 16, 17, 58, 59, 75, 76; 96; 116, 126, 161, 162, 192, 236; 244; 245, 307, 308, 388, 454, 492 and 503 were put and negatived.

MR. CHAIRMAN: The question is:

"That clause 6 stand part of the Bill."

The Lok Sabha divided:

Division No. 23]

[22.46 hrs.

AYES

Ahmed, Shri Kamaluddin
Ankineedu Prasad Rao, Shri P.
Anuragi, Shri Godil Prasad
Appalanaidu, Shri S. R. A. S
Arakal, Shri Xavier
Azad, Shri Bhagwat Jha
Bajpai, Dr. Rajendra Kumari
Baleshwar Ram, Shri
Bansi Lal, Shri
Barot, Shri Maganbhai
Barway, Shri J. C.
Behera, Shri Rasabehari
Bhagwan Dev, Acharya
Bhakta, Shri Manoranjan
Bhardwaj, Shri Parasram
Bhatia, Shri R. L.
Bhoi, Dr. Krupasindhu
Bhole, Shri R. R.
Bhuria, Shri Dileep Singh
Birender Singh, Rao
Brar, Shrimati Gurbrinder Kaur

Brijendra Pal Singh, Shri
Chakradhari Singh, Shri
Chandra Shekhar Singh, Shri
Chandrashekarappa, Shri T. V.
Chaturvedi, Shrimati Vidyawati
Chaudhary, Shri Manphool Singh
Chavan, Shri S. B.
Chennupati, Shrimati Vidya
Dalbir Singh, Shri
Das, Shri A. C.
Dennis, Shri N.
Dev, Shri Sontosh Mohan
Dhandapani, Shri C. T.
Era Anbarasu, Shri
Fernandes, Shri Oscar
Gadgil, Shri V. N.
Gadhavi, Shri Bheravadan K.
Gaikwad, Shri Udaysingrao
Gamit, Shri Chhitubhai
Gandhi, Shri Rajiv
Gehlot, Shri Ashok
Ghufran Azam, Shri
Gireraaj Singh, Shri
Gomango, Shri Giridhar
Gounder, Shri A. Senapathi
Gowda, Shri D. M. Putte
Jadeja, Shri Daulatsinhji
Jain, Shri Bhiku Ram
Jain, Shri Nihal Singh
Jain, Shri Virdhi Chander
Jamilur Rahman, Shri
Jena, Shri Chintamani
Jha, Shri Kamal Nath
Kamla Kumari, Kumari
Karma, Shri Laxman
Keyur Bhusan, Shri
Kidwai, Shrimati Mohaina
Krishna, Shri S. M.
Krishna pratap Singh, Shri
Kuchan, Shri Gangadhar S.
Kunwar Ram, Shri
Kusuma Krishna Murthy, Shri
Lakkappa, Shri K.
Madhuri Singh, Shrimati

Mahajan, Shri Vikram
 Mahendra Prasad, Shri
 Makwana, Shri Narsinh
 Mallick, Shri Lakshman
 Mallikarjun, Shri
 Mallu, Shri Anantha Ramulu
 Meena, Shri Ram Kumar
 Mehta, Dr. Mahipatray M.
 Mishra, Shri Ram Nagina
 Mishra, Shri Uma Kant
 Misra, Shri Harinatha
 Misra, Shri Nityananda
 Mohanty, Shri Brajamohan
 Mohite, Shri Yashwantrao
 More, Shri Ramkrishna
 Motilal Singh, Shri
 Murthy, Shri M. V. Chandrashekhara
 Murugian, Shri S.
 Muthu Kumaran, Shri R.
 Muttemwar, Shri Vilas
 Nagina Rai, Shri
 Naikar, Shri D. K.
 Nair, Shri B. K.
 Namgyal, Shri P.
 Netam, Shri Arvind
 Nikhra, Shri Rameshwar
 Oraon, Shri Kartik
 Panday, Shri Kedar
 Pandey, Shri Krishna Chandra
 Pamgrahi, Shri Chintamani
 Parashar, Prof. Narain Chand
 Pardhi, Shri Keshao Rao
 Parmar, Shri Hiralal R.
 Parthasarathy, Shri P.
 Patel, Shri Mohanbhai
 Patel, Shri Shantubhai
 Patel, Shri Uttambhai H.
 Patil, Shri A. T.
 Patil, Shri Chandrabhan Athare
 Patil, Shri Shivraj V.
 Patil, Shri Veerendra
 Patil, Shri Vijay N.
 Patnaik, Shrimati Jayanti
 Pattabhi Rama Rao, Shri S. B. P.

Pilot, Shri Rajesh
 Poddukhe, Shri Shantaram
 Pressan Kumar, Shri S. N.
 Pushpa Devi Singh, Kumari
 Quadri, Shri S. T.
 Rahim, Shri A. A.
 Ram, Shri Ramswroop
 Ramamurthy, Shri K.
 Ran Vir Singh, Shri
 Rane, Shrimati Sanyogita
 Ranjit Singh, Shri
 Rao, Shrimati B. Radhabhai Ananda
 Rao, Shri M. S. Sanjeevi
 Raut, Shri Bhola
 Ravani, Shri Navin
 Reddi, Shri G. S.
 Reddy, Shri K. Obul
 Reddy, Shri M. Ram Gopal
 Reddy, Shri P. Venkata
 Saminuddin, Shri
 Sangma, Shri P. A.
 Satish Prasad Singh, Shri
 Satya Deo Singh, Prof.
 Sawant, Shri T. M.
 Sebastian, Shri S. A. Dorai
 Sethi, Shri Arjun
 Shaktawat, Prof. Nirmala Kumari
 Shankaranand, Shri B.
 Shanmugam, Shri P.
 Sharma, Shri Kali Charan
 Sharma, Shri Nand Kishore
 Sharma, Shri Nawal Kishore
 Shastri, Shri Dharam Dass
 Shriv Shankar, Shri P.
 Shivendra Bahadur Singh, Shri
 Shukla, Shri Vidya Charan
 Sidnal, Shri S. B.
 Singh, Dr. B. N.
 Singh Deo, Shri K. P.
 Sinha, Shrimati Ramdulari
 Soren, Shri Shibu
 Soundararajan, Shri N.
 Sparrow, Shri R. S.
 Sreenivasa Prasad, Shri V.
 Sukhadia, Shri Mohan Lal

Sultanpuri, Shri Krishna Dutt
 Sunder Singh, Shri
 Taty Anwar, Shri
 Tayyab Hussain, Shri
 Tewary, Prof. K. K.
 Hhorat, Shri Bhausahab
 Tiwari, Shri Narayan Datt
 Tytler, Shri Jagdish
 Varma, Shri Jai Ram
 Venkatasubbasiah, Shri P.
 Virhadra Singh, Shri
 Vyas, Shri Girdahri Lal
 Wagh, Dr. Pratap
 Wasnik, Shri Balkrishna Ramchandra
 Yadav, Shri Ram Singh
 Yusuf, Shri Mohmed
 Zail Singh, Shri
 Zainul Basher, Shri

NOES

Acharia, Shri Basudeb
 Balan, Shri A. K.
 Balanandan, Shri E.
 Barman, Shri Palas
 Basu, Shri Chitta
 Bhattacharyya, Shri Sushil
 Biswas, Shri Ajoy
 Chakraborty, Shri Satyasadhan
 Chaudhuri, Shri Tridib
 Choudhury, Shri Saifuddin
 Das, Shri R. P.
 Ghosh, Shri Niren
 Ghosh Goswami, Shrimati Bibha
 Jiri, Shri Sudhir
 Jopalan, Shrimati Susela
 Gupta, Shri Indrajit
 Halder, Shri Krishna Chandra

Hannan Mollah, Shri
 Hasda, Shri Matila
 Imbichibava, Shri E. K.
 Jathya, Shri Satyanarayan
 Jha, Shri Bhogendra
 Kodiyan, Shri P. K.
 Lawrence, Shri M. M.
 Mahata, Shri Chitta
 Maitra, Shri Sunil
 Mandal, Shri Mukunda
 Mandal, Shri Sanat Kumar
 Mhalgi, Shri R. K.
 Misra, Shri Satyagopal
 Modak, Shri Bijay
 Mohammed Ismail, Shri
 Mukherjee, Shrimati Geeta
 Mukherjee, Shri Samar
 Muzarfar Hussain, Shri Syed
 Pal, Prof. Rup Chand
 Parulekar, Shri Bapusaheb
 Pathak, Shri Ananda
 Rai, Shri M. Ramanna
 Rajan, Shri K. A.
 Rajda, Shri Ratansinh
 Riyan, Shri Baju Ban
 Roy, Dr. Saradish
 Roy Pradhan, Shri Amar
 Saha, Shri Ajit Kumar
 Saha, Shri Gadadhar
 Sen, Shri Subodh
 Shastri, Shri Ramavatar
 Shejwalkar, Shri N. K.
 Suraj Khan, Shri
 Surya Narayan Singh, Shri
 *Swami, Shri K. A.
 Turkey, Shri Pius
 Unnikrishnan, Shri K. P.
 Varma, Shri Ravindra

*Vijayaraghavan, Shri V. S.

*Wrongly voted for NOES

Yadav, Shri Vijay Kumar
Zainal Abedin, Shri

MR. CHAIRMAN: Subject to correction, the result of the Division is: Ayes 172, Noes 58.

The motion was adopted.

Clause 6 was added to the Bill.

Clause 7—(Penalty for giving financial Aid to illegal strikes)

SHRI CHITTA BASU: I beg to move:

Page 4, lines 29 and 30,—

for "one year" substitute "one day" (18)

Page 4, line 30,—

for "two thousand" substitute "ten" (19)

SHRI RAMAVATAR SHASTRI: I beg to move:

Page 4 line 30,—

for "two thousand rupees" substitute "one rupee" (36)

Page 4, lines 30 and 31,—

omit "or with both" (37)

SHRI MUKUNDA MANDAL: I beg to move:

Page 4, line 30,—

for "two thousand rupees" substitute "rupees two" (61)

SHRI SUNIL MAITRA: I beg to move:

Page 4, lines 29 and 30,—

for "to one year" substitute

"till the rising of the court" (77)

Page 4, line 30,—

for "two thousand rupees"

substitute "five paise" (78)

PROF. RUPCHAND PAL: I beg to move:

Page 4, lines 29 and 30,—

omit "with imprisonment for a term which may extend to one year, or" (98)

Page 4, lines 30 and 31,—

for "which may extend to two thousand rupees, or with both" substitute "of 5 paise" (99)

SHRI KRISHNA CHANDRA HALDER: I beg to move:

Page 4,—

for lines 29 to 31,—

substitute "not be punishable but may be charged rupees five as fine" (117)

SHRI SATYANARAYAN JATTYA: I beg to move:

Page 4, line 28,—

after "Act" insert "for which sufficient evidence admissible under law is available" (127)

SHRI AJOY BISWAS: I beg to move:

Page 4,—

for clause 7, substitute

"7. Any who finances an unjustified strike may be punishable with a fine of ten rupees." (164)

SHRI SUSHIL BHATTACHARYA: I beg to move:

Page 4, for lines 30 and 31—

substitute "day or with fine which may extend to one rupee or with both" (193).

SHRI SAIFUDDIN CHOUDHURY: I beg to move:

Page 4, line 28,—

for "a strike" substitute

"the anti-worker activities" (231)

SHRI SAMAR MUKHERJEE: I beg to move:

Page 4,—

for clause 7 substitute

"7. Any person who finances an unjustified strike may be punishable with a fine of ten rupees" (270)

†The following Members also recorded their votes:

AYES: Sarvaswari D. L. Baitha, Seth Hembrom, Ramayan Rai, P. V. G. Raju, V. S. Vijayaraghavan and K. A. Swami;

NOES: Shri A. K. Roy and Shri Ajit Bag.

SHRI A. K. ROY: I beg to move:

Page 4, lines 29 to 31,—

for "imprisonment for a term which may extend to one year, or with fine which may extend to two thousand rupees, or with both"

Substitute

"any punishment other than imprisonment as would be decided by the National Tribunal for labour to which the case would be referred" (389)

SHRI VIJAY KUMAR YADAV: I beg to move:

Page 4, lines 29 to 31,—

for "imprisonment for a term which may extend to one year, or with fine which may extend to two thousand rupees, or with both"

substitute "fine of one rupee" (455)

SHRI CHITTA BASU: Clause 7 of the Bill is all the more pernicious. It says "Any person who knowingly expends or supplies any money in furtherance or support of a strike which is illegal" is liable to certain kinds of punishment. I would only implore you to consider the fact that there are many families, including our own mothers and sisters, who generally donate or give a morsel of food to the striking workers when they go round the city. The pernicious nature of this measure will be clear from this. Suppose in a particular area some workers have gone on strike and Government has declared it as illegal; suppose they go out for collecting funds or collecting food, and if one of our mothers or sisters comes out of the door and gives a morsel of food to those striking workers, then that mother or sister will be hauled up by the police, she will be put behind the bars and she will have to be behind the bars for one year. Also, she will be punished with a fine of Rs. 2,000. This is the implication. I, therefore, implore on the entire

House that this kind of pernicious measure is against our civilization, against our values, against our culture, against our tradition. I do not want to make a long speech. I would only remind the Members of the House that many of their own family members, their own mothers, their own sisters, are kind and generous and they generally come out to give alms to the striking workers. At least in consideration of their own wives, mothers and sisters, they should refrain from having this kind of pernicious law.

I have therefore, suggested that, if at all they are determined to punish them, the punishment may be imprisonment for one day and about fine, if at all necessary, it may be not more than rupees ten.

श्री रामावतार शास्त्री: यह सातवीं धारा बहुत ही खतरनाक और घृणित धारा है। हम लोग जो ट्रेड यूनियन के बीच काम करते हैं वे जानते हैं कि जब रूढ़िवादी होती है तो हम लोगों को बाजारों में शहरों में जाकर के पैसा इकट्ठा करना पड़ता है और कोई भी किसी भी विचारधारा का क्यों न हो, सब लोग हमदर्दी से पैसा देते हैं। अलग-अलग यूनियनों भी पैसा भेजती हैं ताकि रूढ़िवादीयों की मदद हो सके, उन के बाल-बच्चे भूखे नहीं मरें, उनको कुछ मदद मिल सके। तो ऐसा करने वालों को भी यह सरकार सजा देना चाहती है जिसकी अवस्था इस धारा में की गई है।

इस बात का स्मरण करते हुए अंग्रेजी राज के जमाने की बात याद आती है। जब हम लोग अंग्रेजों से लड़ते थे तो उस आन्दोलन के समर्थक नाना रूप में हमारे सामने आते थे, आर्थिक सहायता देते थे, गल्ले से सहायता करते थे, मुठिया उगाहा जाता था। बहुत सारे माननीय सदस्यों को मालूम

[श्री रामावतार वास्ती]

होना। तो मुठिया उठाहूँ बापों को भी धंधेजी सरकार अपने दमन का शिकार बनाती थी। इसी धंधे में मैंने कहा कि यह जो कांग्रेस की सरकार है जो बहुत दम भरती है जनतंत्र में विश्वास रखने का और जो नरीबों की हितों को बनाती है यह उसी रास्ते को अपना रही है। वो जिस रास्ते पर उन को जाना पड़ा उसी रास्ते से आप को भी जाना पड़ सकता है अगर आप ने अपने तौर तरीकों में सुधार नहीं किया। यह क्या बात है कि कोई एक रुपया, दो रुपया, दस रुपया दे दे तो उस को जेल में डालेंगे धलन और उस पर जुर्माना धलन करेंगे। इसलिए मैं इसको बहुत खतरनाक धारा समझता हूँ। हुज्जतल करने वाली की बात तो मैं समझता हूँ और मेरे जैसे हुज्जतल के जो समर्थक हैं उनकी बात भी समझ सकता हूँ लेकिन जो बेचारे सहानुभूति में आ कर मदद करें हुज्जतलियों की उनको भी आप सजा देंगे और जेल भेजेंगे, यह बात ठीक सफल में नहीं आती। यह ठीक वही बात है कि धंधेजों के रास्ते पर चलिए, धंधेजों की तरह दमन-धक बलाधर्ये। मैं इस धारा का बहुत जोरदार शब्दों में विरोध करता हूँ। मेरा संशोधन है कि एक दिन-एक रुपया किया जाय, उस से ज्यादा न किया जाय।

SHRI MUKUNDA MANDAL: I cannot understand ...

MR. CHAIRMAN: You do not understand what is your amendment?

SHRI MUKUNDA MANDAL: My amendment is for the penalty of Rs. 2,000. substitute Rs. 2. I do not understand. When a worker goes on a strike, he will be punished with six months imprisonment and a fine of Rs. 1,000 but here one who gives help or assistance to the workers or his family will be penalised

more. "That is my question."

MR. CHAIRMAN: So you want to reduce it from six months to one day and a fine?

SHRI MUKUNDA MANDAL: One day and Rupee one.

SHRI SUNIL MAITRA: Two years ago the workers of Jay Engineering works belonging to Lala Bharat Ram and Charat Ram went on a strike and the strike went on for 8 months. and during all these 8 months the people in the surrounding areas donated rice and money and fed the workers. They donated rice in terms of quintals. That way the workers fought. As a consequence of this provision in this Bill these lakhs of people who donated rice—leave aside the question of money—would have to go to jail. This is atrocious and in any democratic country this is unthinkable. Therefore my amendment is that if at all you punish them, you punish them till the rising of the court and a fine of five paise.

SHRI KRISHNA CHANDRA HALDER: My amendment reads like this:

Page 4.—

for lines 29 to 31

substitute "not be punishable but may be charged rupees five as fine".

You can understand that when there is a strike lakhs of people including yourself subscribe or donate in support of the strike. You know I am worried about lakhs of people including you. You were a former Speaker of Madhya Pradesh Assembly and you are now in the Chair. You are a learned lawyer also. What happens? There are factional fights in the MP Congress itself and some of your colleagues will complain that you have donated for the strike. Then you will be arrested or fined. So for

all and including you, I am against punishment. What I have said is that it shall be punishable with a fine of Rs. 5. I am against any punishment like imprisonment or heavy fine. My amendment is a valid amendment and I would warn this Government. Don't follow the footprints of the British imperialists. You know their fate. You pretend to say that you are the saviour of democracy. But you are going in an authoritarian way. You are, I can repeat what my colleague, Mr. Somnath Chatterjee has said, going towards fascism and the whole working class will rise as one man and fight to the end against this monstrous and dangerous Bill and also this clause.

23 hrs

श्री सत्यनारायण जटिया : माननीय सभापति महोदय, क्लज 7 के अन्तर्गत उम के आखिर में यह जोड़ दिया जाय—

“जिस के लिए कानून के अधीन प्राप्ति पर्याप्त साक्ष्य उपलब्ध है।”

बिना साक्ष्य के किसी को सजा देना न्यायमग्न नहीं है। आप, सभापति जी, विधिवेत्ता हैं, विधि के ज्ञाता हैं। इस लिए बिना किसी बात के, बिना किसी प्रमाण के, किसी की मनक में आकर कोई भी किसी को दण्डित कर दे—यह कानून-मग्न बात नहीं होगी। इस तरह का प्रावधान इस कानून में हो जाने से किसी को अपनी बात कहने के लिए कोई स्वतंत्रता नहीं मिलेगी और उम को जेल में पहुँचा दिया जायगा। इन लिए जो कानून लाया जा रहा है यह आत्मकवादी है, किसी को डरा-धमका कर उमका मन बेचने वाली बात होगी। इन लिए मेरा संशोधन इस में जोड़ दिया जाय।

SHRI AJOY BISWAS: Sir, the workers resorting to strike are in distress. If the strike continues for a long time, they need help of others.

2044 LS—21

So, the clause containing fine and imprisonment is actually an uncivilised clause. The fine should be ten rupees and the imprisonment should be for one day.

SHRI SUSHIL BHATTACHARYA: Mr. Chairman, Sir, this is another severe penal measure for the supporters in the strike. Even if you pay ten paise to a striker or if you entertain him with a cup of tea you will be treated as an instigator or an inciter for supporting the strike. In that case you may even be imprisoned for a term of one year or a fine of Rs. 2,000 or with both.

That is why I suggested that it should be one day's imprisonment and instead of a fine of Rs. 2,000, it should be one rupee.

Thank you.

SHRI A. K. ROY: Sir, it is atrocious even to give subscription to the striking workers as it can fetch a punishment like imprisonment. Moreover, here also, the matter should be very cautiously dealt with. Whether the strike is legal or illegal, it is not to be decided by the Government or the Officers. It can be decided as per the present law only by the Tribunal. As regards the quantum of punishment or whether there is an offence or not, this will be referred to the Tribunal who will decide whether the strike is legal or not. That cannot be vested with any executive. Specially when the issue is such, I think, the matter should be referred to the Tribunal so that it can decide about the quantum of punishment and the imprisonment.

श्री विजय कुमार यादव : सभापति जी, मैंने इस में कारावास की सजा समाप्त करने और जुमनि की रकम घटा कर एक रुपया करने का सुझाव दिया है। तर्क पहले दिए जा चुके हैं, उन्हीं तर्कों के आधार पर मैंने यह संशोधन पेश किया है।

MR. CHAIRMAN: Mr. Minister, do you want to say anything?

SHRI YOGENDRA MAKWANA: I regret that I cannot accept any of the amendments.

MR. CHAIRMAN: I shall put all the amendments together to the vote of the House.

SHRI A. K. ROY: On a point of order. The minister need not answer to all the amendments moved. At least he should answer to some of the amendments. When we are cooperating he should also cooperate with us. Otherwise we shall also try our best to obstruct the early passage of the Bill of this nature.

MR. CHAIRMAN: Now, I will put all the amendments to Clause 7 to the vote of the House.

Amendments Nos. 18, 19, 36, 37, 61, 77, 78, 98, 99, 117, 127, 164; 193; 231; 270, 389 and 455 were put and negatived.

MR. CHAIRMAN: Now I will put Clause 7 to the vote of the House.

SOME HON. MEMBERS: Sir, let the lobbies be first cleared.

MR. CHAIRMAN : Let the lobbies be cleared.... Lobbies have been cleared.

The question is:

"That Clause 7 stand part of the Bill."

The Lok Sabha divided:

Division] No. 25 [23.12 hrs.

AYES

Ahmed, Shri Kamaluddin
Ankineedu Prasad Rao, Shri P.
Anuragi, Shri Godil Prasad
Appalanaidu, Shri S. R. A. S.
Arakal, Shri Xavier
Azad, Shri Bhagwat Jha
Baitha, Shri D. L.
Bajpai, Dr. Rajendra Kumari
Baleshwar Ram, Shri
Bansi Lal, Shri
Berot, Shri Maganbhai

Barway, Shri J. C.
Behera, Shri Rasabehari
Bhagwan Dev, Acharya
Bhakta, Shri Manoranjan
Bhardwaj, Shri Parasram
Bhatia, Shri R. L.
Bhoi, Dr. Krupasindhu
Bhuria, Shri Dileep Singh
Birender Singh, Rao
Brar, Shrimati Gurbrinder Kaur
Brijendra Pal Singh, Shri
Buta Singh, Shri
Chakradhari Singh, Shri
Chandra Shekhar Singh, Shri
Chandrashekharaappa, Shri T. V.
Chaturvedi, Shrimati Vidyawati
Chaudhary, Shri Manphool Singh
Chavan, Shri S. B.
Chennupati, Shrimati Vidya
Dalbir Singh, Shri
Das, Shri A. C.
Dennis, Shri N.
Dev, Shri Sontosh Mohan
Dhandapani, Shri C. T.
Era Anbarasu, Shri
Fernandes, Shri Oscar
Gadgil, Shri V. N.
Gadhavi, Shri Bheravadan K.
Gaikwad, Shri Udaysingrao
Gamt, Shri Chh'tubhai
Gandhi, Shri Rajiv
Gehlot, Shri Ashok
Ghufran Azam, Shri
Gireraaj Singh, Shri
Gomango, Shri Giridhar
Gounder, Shri A. Senapathi
Gowda, Shri D. M. Putte
Jadeja, Shri Daulatsinhji
Jain, Shri Nihal Singh
Jain, Shri Viridhi Chander
Jamilur Rahman, Shri
Jena, Shri Chintamani
Jha, Shri Kamal Nath
Kamla Kumari, Kumari
Karma, Shri Laxman
Keyur Bhusan, Shri
Kidwai, Shrimati Mohsina
Krishna, Shri S. M.
Krishna Pratap Singh, Shri
Kuchan, Shri Gangadhar S.
Kanwar Ram, Shri
Kusuma Krishna Murthy, Shri

Madhuri Singh, Shrimati
Mahajan, Shri Vikram
Mahendra Prasad, Shri
Makwana, Shri Narsinh
Mallick, Shri Lakshman
Mallikarjun, Shri
Mallu, Shri Anantha Ramulu
Meena, Shri Ram Kumar
Mehta, Dr. Mahipatray M.
Mishra, Shri Ram Nagina
Mishra, Shri Uma Kant
Misra, Shri Harinatha
Misra, Shri Nityananda
Mohanty, Shri Brajamohan
Mohite, Shri Yashawantrao
More, Shri Ramkrishna
Motilal Singh, Shri
Murthy, Shri M. V. Chandrashekhar

Murugian, Shri S.
Muthu Kumaran, Shri R.
Muttamwar, Shri Vilas
Nagina Rai, Shri
Naikar, Shri D. K.
Nair, Shri B. K.
Namgyal, Shri P.
Netam, Shri Arvind
Nikhra, Shri Rameshwar
Oraon, Shri Kartik
Panday, Shri Kedar
Pandey, Shri Krishna Chandra
Panigrahi, Shri Chintaman
Parashar, Prof. Nara'n Chand
Pardhi, Shri Kesharao
Parthasarathy, Shri P.
Patel, Shri Mohanbhai
Patel, Shri Shantubhai
Patel, Shri Uttambhai H.
Patil, Shri A. T.
Patil, Shri Shivraj V.
Patil, Shri Uttamrao
Patil, Shri Veerendra
Patil, Shri Vijay N.
Patnaik, Shrimati Jayanti

Pattabhi Rama Rao, Shri S. B. P.
Pilot, Shri Rajesh
Potdukhe, Shri Shantaram
Prasan Kumar, Shri S. N.
Pushpa Devi Singh, Kumari
Quadri, Shri S. T.
Rahim, Shri A. A.
Raju, Shri P. V. G.
Ram, Shri Ramswaroop
Ramamurthy, Shri K.
Ran Vir Singh, Shri
Rane, Shrimati Sanyogita
Rao, Shrimati B. Radhabai Ananda
Rao, Shri M. S. Sanjeevi
Raut, Shri Bhola
Ravani, Shri Navin
Reddy, Shri G. S.
Reddy, Shri K. Obul
Reddy, Shri M. Ram Gopal
Reddy, Shri P. Venkata
Saminuddin, Shri
Sangma, Shri P. A.
Satish Prasad Singh, Shri
Satya Deo Singh, Prof.
Sawant, Shri T. M.
Sebastian, Shri S. A. Dorai
Sethi, Shri Arjun
Shaktawat, Prof. Nirmala Kumari
Shankaranand, Shri B.
Shanmugam, Shri P.
Sharma, Shri Kali Charan
Sharma, Shri Nand Kishore
Sharma, Shri Nawal Kishore
Shastri, Shri Dharam Dass
Shiv Shankar, Shri P.
Shivendra Bahadur Singh, Shri
Sidnal, Shri S. B.
Singh, Dr. B. N.
Singh Deo, Shri K. P.
Sinha, Shrimati Ramdulari
Soren, Shri Shibu
Soundararajan, Shri N.
Sparrow, Shri R. S.

Sreenivasa Prasad, Shri V.
 Sukhadia, Shri Mohan Lal
 Sultanpuri, Shri Krishan Dutt
 Sunder Singh, Shri
 Swami, Shri K. A.
 Tariq Anwar, Shri
 Tayyab Hussain, Shri
 Tewary, Prof. K. K.
 Thorat, Shri Bhausaheb
 Tiwari, Shri Narayan Datt
 Tytler, Shri Jagdish
 Vairale, Shri Madhusudan
 Varma, Shri Jai Ram
 Venkatasubbaiah, Shri P.
 Vijayaraghavan, Shri V. S.
 Virbhadra Singh, Shri
 Vyas, Shri Girdhari Lal
 Wagh, Dr. Pratap
 Wasmik, Shri Balkrishna Ramchandra
 Yadav, Shri Ram Singh
 Yusuf, Shri Mohmed
 Zail Singh, Shri
 Zainul Basher, Shri

NOES

Acharia, Shri Basudeb
 Balan, Shri A. K.
 Balanandan, Shri E.
 Barman, Shri Palas
 Basu, Shri Chitta
 Bhattacharyya, Shri Sushil
 Biswas, Shri Ajoy
 Chakraborty, Shri Satyasadhan
 Chaudhuri, Shri Tridib
 Choudhury, Shri Saifuddin
 Das, Shri R. P.
 Ghosh, Shri Niren

Ghosh Goswami, Shrimati Bibha
 Giri, Shri Sudhir
 Gopalan, Shrimati Suseela
 Gupta, Shri Indrajit
 Halder, Shri Krishna Chandra
 Hannan Mollah, Shri
 Hasda, Shri Matilal
 Imbichibava, Shri E. K.
 Jatiya, Shri Satyanarayan
 Jha, Shri Bhogendra
 Kodliyan, Shri P. K.
 Lawrence, Shri M. M.
 Mahata, Shri Chitta
 Maitra, Shri Sunil
 Mandal, Shri Mukunda
 Mandal, Shri Sanat Kumar
 Mhalgi, Shri R. K.
 Misra, Shri Satyagopal
 Modak, Shri Bijoy
 Mohammed Ismail, Shri
 Mukherjee, Shrimati Geeta
 Mukherjee, Shri Samar
 Muzaffar Hussain, Shri Syed
 Pal, Prof. Rup Chand
 Parulekar, Shri Bapusaheb
 Pathak, Shri Ananda
 Rai, Shri M. Ramanna
 Rajan, Shri K. A.
 Rajda, Shri Ratansinh
 Riyan, Shri Baju Ban
 Roy, Dr. Saradish
 Roy Pradhan, Shri Amar
 Saha, Shri Ajit Kumar
 Saha, Shri Gadadhar
 Sen, Shri Subodh
 Shastri, Shri Ramavatar
 Shejwalkar, Shri N. K.
 Surya Narayan Singh, Shri
 Tirkey, Shri Pius
 Yadav, Shri Vijay Kumar
 Zainal Abedin, Shri

MR. CHAIRMAN: Subject to correction, the result* of the division is: Ayes 172; Noes 53.

* The motion was adopted.

Clause 7 was added to the Bill.

New Clause 7-A

SHRI E. BALANANDAN (Mukundapuram): I beg to move:

Page 4,—

after line 31, insert—

"7A Words and expressions used in sections 4 to 7 shall have the meanings respectively assigned to them in sections 26 to 28 of the Industrial Disputes Act, 1947." (411).

MR. CHAIRMAN: He does not want to speak. Now I will put his amendment No. 411 to the vote of the House.

The question is:

Page 4,—

after line 31, insert—

"7A, Words and expressions used in sections 4 to 7 shall have the meanings respectively assigned to them in sections 26 to 28 of the Industrial Disputes Act, 1947." (411)

The Lok Sabha divided:

Division No. 25)

(23.12 hrs.

AYES

Acharia, Shri Basudeb

Balan, Shri A. K.

Balanandan, Shri E.

Barman, Shri Palas

Basu, Shri Chitta

Biswas, Shri Ajoy

Chaudhary, Shri Manphool Singh

Chaudhuri, Shri Tridib

Choudhury, Shri Saifuddin

Das, Shri R. P.

Ghosh, Shri Niren

Ghosh Goswami, Shrimati Bibha

Giri, Shri Sudhir

Gopalan, Shrimati Suseela

Gupta, Shri Indrajit

Haider, Shri Krishna Chandra

Hannan Mollah, Shri

Hasda, Shri Matilal

Imbichibava, Shri E. K.

Jatiya, Shri Satyanarayan

Jha, Shri Bhogendra

Lawrence, Shri M. M.

Mahata, Shri Chitta

Maitra, Shri Sunil

Mandal, Shri Mukunda

Mandal, Shri Sanat Kumar

†Mishra, Shri Uma Kant

Misra, Shri Satyagopal

Modak, Shri Bijoy

Mohammed Ismail, Shri

Mukherjee, Shri Samar

Pal, Prof. Rup Chand

Parulekar, Shri Bapusahab

Pathak, Shri Ananda

Rai, Shri M. Ramanna

Rajan, Shri K. A.

Rajda, Shri Ralansinh

Riyan, Shri Baju Ban

Roy, Dr. Saradish

Roy Pradhan, Shri Amar

Saha, Shri Ajit Kumar

Saha, Shri Gadadhar

Samnuddin, Shri

Sen, Shri Subodh

*The following Members also recorded their votes:

AYES: Shri Ramayan Rai;

NOES: Shri A. K. Roy and Shri Ajit Bag.

†Wrongly voted for AYES

Shejwalkar, Shri N. K.
Surya Narayan Singh, Shri
Yadav, Shri Vijay Kumar

†Zail Singh, Shri

Zainal Abedin, Shri
NOES

Ahmed, Shri Kamaluddin
Ankineedu Prasad Rao, Shri P.
Anuragi, Shri Godil Prasad
Appalanaidu, Shri S. R. A. S.
Arakal, Shri Xavier
Azad, Shri Bhagwat Jha
Baitha, Shri D. L.
Bajpai, Dr. Rajendra Kumari
Baleshwar Ram, Shri
Bansi Lal, Shri
Barot, Shri Maganbhai
Barway, Shri J. C.
Behera, Shri Rasabehar.
Bhakta, Shri Manoranjan
Bhardwaj, Shri Parasram
Bhoi, Dr. Krupasinghu
Bhuria, Shri Dileep Singh
Birender Singh, Rao
Brar, Shrimati Gurbrinder Kaur
Brijendra Pal Singh, Shri
Buta Singh, Shri
Chakradhari Singh, Shri
Chandra Shekhar Singh, Shri
Chandrashekharappa, Shri T. V.
Chaturvedi, Shrimati Vidyawati
Chavan, Shri S. B.
Chennupati, Shrimati Vidya
Dalbir Singh, Shri
Das, Shri A. C.
Dennis, Shri N.
Dev, Shri Sontosh Mohan
Era Anbarasu, Shri
Fernandes, Shri George
Gadhavi, Shri Bheravadan K
Gaikwad, Shri Udaysingrao
Gamit, Shri Chhitubhai
Gandhi, Shri Rajiv
Gehlot, Shri Ashok
Ghufran Azam, Shri

Gireraj Singh, Shri
Gomango, Shri Girdhar
Gounder, Shri A. Senapathi
Gowda, Shri D. M. Putte
Hembrom, Shri Seth
Jadeja, Shri Daulatsinhji
Jain, Shri Nihal Singh
Jain, Shri Virdhi Chander
Jamilur Rahman, Shri
Jena, Shri Chintamani
Jha, Shri Kamal Nath
Kamla Kumari, Kumari
Karma, Shri Laxman
Kidwai, Shrimati Mohsina
Krishna, Shri S. M.
Krishna Pratap Singh, Shri
Kuchan, Shri Gangadhar S.
Kunwar Ram, Shri
Kusuma Krishna Murthy, Shri
Madhuri Singh, Shrimati
Mahajan, Shri Vikram
Mahendra Prasad, Shri
Makwana, Shri Narsingh
Mallick, Shri Lakshman
Mallikarjun, Shri
Mallu, Shri Anantha Ramulu
Meena, Shri Ram Kumar
Mehta, Dr. Mahipatray M.
Mhalgi, Shri R. K.
Mishra, Shri Ram Nagina
Mitra, Shri Harinatha
Misra, Shri Nityananda
Mohanty, Shri Brajamohan
More, Shri Ramkrishna
Motihal Singh, Shri
Murthy, Shri M. V. Chandrashekhar
Murugian, Shri S.
Muthu Kumaran, Shri R.
Muttamwar, Shri Vilas
Nagina Ra', Shri
Naikar, Shri D. K.
Nair, Shri B. K.
Namgyal, Shri-P
Netam, Shri Arvind
Nikhra, Shri Rameshwar

Oraon, Shri Kartik
 Panday, Shri Kedar
 Pandey, Shri Krishna Chandra
 Panigrahi, Shri Chintamani
 Parashar, Prof. Narain Chand
 Pardhi, Shri Keshaorao
 Parthasarathy, Shri P.
 Patel, Shri Mohanbhai
 Patel, Shri Shantubhai
 Patel, Shri Uttambhai H.
 Patil, Shri A. T.
 Patil, Shri Shivraj V.
 Patil, Shri Uttamrao
 Patil, Shri Veerendra
 Patil, Shri Vijay N.
 Patnaik, Shrimati Jayanti
 Pattabhi Rama Rao, Shri S. B. P.
 Pilot, Shri Rajesh
 Potdukhe, Shri Shantaram
 Prasan Kumar, Shri S. N.
 Pushpa Devi Singh, Kumari
 Quadri, Shri S. T.
 Rahim, Shri A. A.
 Raju, Shri P. V. G.
 Ram, Shri Ramswaroop
 Ramamurthy, Shri K.
 Ran Vir Singh, Shri
 Rane, Shrimati Sanyogita
 Rao, Shrimati B. Radhabai Ananda
 Rao, Shri M. S. Sanjeevi
 Raut, Shri Bhola
 Ravanl, Shri Navin
 Reddi, Shri G. S.
 Reddy, Shri M. Ram Gopal
 Reddy, Shri P. Venkata
 Sangma, Shri P. A.
 Satya Deo Singh, Prof.
 Sawant, Shri T. M.
 Sebastian, Shri S. A. Doral

Sethi, Shri Arjun
 Shaktawat, Prof. Nirmala Kumari
 Shankaranand, Shri B.
 Shanmugam, Shri P.
 Sharma, Shri Kali Charan
 Sharma, Shri Nand Kishore
 Sharma, Shri Nawal Kishore
 Shastri, Shri Dharam Dass
 †Shastri, Shri Ramavatar
 Shiv Shankar, Shri P.
 Shivendra Bahadur Singh, Shri
 Sidnal, Shri S. B.
 Singh, Dr. B. N.
 Sinha, Shrimati Ramdulari
 Soren, Shri Hari Har
 Soundararajan, Shri N.
 Sparrow, Shri R. S.
 Sreenivasa Prasad, Shri V.
 Sukhadia, Shri Mohan Lal
 Sultanpuri, Shri Krishan Dutt
 Swami, Shri K. A.
 Tariq Anwar, Shri
 Tayyab Hussain, Shri
 Tewary, Prof. K. K.
 Tiwari, Shri Narayan Datt
 Tytler, Shri Jagdish
 Vairale, Shri Madhusudan
 Varma, Shri Jai Ram
 Venkatasubbaiah, Shri P.
 Vijayaraghavan, Shri V. S.
 Virbhadra Singh, Shri
 Vyas, Shri Girdhari Lal
 Wagh, Dr. Pratap
 Wasnik, Shri Balkrishna Ramchandra
 Yadav, Shri Ram Singh
 Yusuf, Shri Mohmed
 Zainul Basher, Shri

MR. CHAIRMAN: Subject to correction, the result†† of the division is: Ayes 49; Noes 160.

The motion was negatived.

†Wrongly voted for NOES.

††The following Members also

AYES: Sarvashri A. K. Roy, Ajit Bag

NOES: Sarvashri Janardhana Poojary,
 yan Rai, Ghulam Nabi Azad,
 Umakant Mishra.

recorded their votes:

and Ramavatar Shastri;

Sunder Singh, Keyur Bhushan, Rama-
 Acharya Bhagwan Dev, Zail Singh and

Clause 8—(Power to prohibit lockouts in certain establishments.)

SHRI M. RAMANNA RAI (Kasargod): I beg to move:

Page 5, line 7,—

for "six months" substitute "six years" (24)

SHRI RAMAVATAR SHASTRI: I beg to move:

Page 4, lines 39 and 40,—

for "six months only" substitute—

"as long as the establishments work" (38)

Page 4, lines 40 to 42,—

Omit "but the Central Government may, by a like Order, extend it for any period not exceeding six months if it is satisfied that in the public interest it is necessary so to do." (39)

Page 5, line 7,—

for "one" substitute—

"twenty-five" (40)

Page 5, line 7,—

for "or" substitute—

"and" (41)

Page 5, line 7,—

for "six months" substitute—

"two years" (42)

Page 5, line 8,—

Omit 'or with both' (43)

SHRI MUKUNDA MANDAL: I beg to move:

Page 4, line 34,—

after "prohibit lock-out"

insert "and closure" (62)

Page 4, lines 39 and 40,—

for "six months" substitute—

"six years" (63)

SHRI SUNIL MAITRA: I beg to move:

Page 5, lines 7 and 8,—

for "one thousand rupees"

substitute "thirty thousand rupees" (80)

PROF. RUP CHAND PAL: I beg to move:

Page 5, lines 7 and 8,—

for "one thousand" substitute—

"twenty thousand" (101)

SHRI SOMNATH CHATTERJEE: I beg to move:

Page 5, line 7,—

for "six months" substitute—

"one year" (165)

SHRI SUDHIR GIRI: I beg to move:

Page 5, lines 7 and 8,—

for "one thousand" substitute—

"fifty thousands of" (213)

SHRI HANNAN MOLLAH: I beg to move:

Page 5, lines 7 and 8,—

for "one thousand" substitute—

"ten thousand" (247)

SHRI AMAR ROYPRADHAN: I beg to move:

Page 5, lines 7 and 8,—

for "one thousand" substitute—

"one lakh" (288)

SHRI SATYAGOPAL MISRA: I beg to move:

Page 4,—

for lines 32 to 35, substitute

"(1) Lock-outs in any establishments pertaining to any essential service specified in the

order shall be strictly prohibited." (312)

SHRI CHITTA MAHATA: I beg to move:

Page 5, lines 7 and 8,—

for "one thousand" substitute—
"fifty thousand" (322)

SHRI R. K. MHALGI: I beg to move:

Page 4, line 34,—

after "lock-out" insert—
"or closure" (366)

Page 4, line 45,—

after "lock-outs" insert
"or closure" (367)

Page 5, line 1,—

after "lock-outs" insert
"or closures" (368)

Page 5, line 5,—

after "lock-outs" insert
"or closure" (369)

SHRI INDRAJIT GUPTA: I beg to move:

Page 4, line 34,—

after "lock-outs" insert
"and closures" (373)

Page 4, line 45,—

after "lock-out" insert
"or declare any closure" (374)

Page 5, line 1,—

after "lock-out" insert "or closure" (375)

SHRI A. K. ROY: I beg to move:

Page 4, line 34,—

after "lock-outs" insert "or closures" (390)

Page 5, line 8,—

add at the end—

"in a public trial to be concluded within fifteen days" (394)

SHRI VIJAY KUMAR YADAV: I beg to move:

Page 5, line 5,—

for "or otherwise acts in furtherance of a lock-out"

substitute "instigates, incites, finances for otherwise acts in furtherance of a lock-out or closure" (460)

Page 4,—

omit lines 39 to 45 (457)

Page 5, lines 7 and 8,—

for "one thousand" substitute—
"forty thousand" (462)

SHRI AJOY BISWAS: I beg to move:

Page 4, lines 39 and 40,—

for "six months" substitute
"five years" (493)

SHRI BHOGENDRA JHA (Madhubani): I beg to move:

Page 4, lines 39 and 40,—

for 'six months' substitute 'one year' (505)

Page 4, line 41,—

for "six months" substitute
"one year" (506)

MR. CHAIRMAN: Now, these amendments are before the House. Mr. Ramanna Rai to speak very briefly.

SHRI M. RAMANNA RAI: Sir, my amendment is that instead of 6 months it should be six years because if a worker enter into a strike, the punishment is six months. Now, at the same time, if the employer is at fault, he should not be given the same punishment. He must be given punishment of six years imprisonment. That is my amendment.

श्री रामावतार शास्त्री : सभापति जी, धारा 8 में जितने भी हमारे संशोधन हैं सब को पेश करने हुए मैं एक दो बात कहना चाहता हूँ इस में तालाबन्दी पर 6 महीने की रोक लगाने की बात कही गई है, और यह भी कहा गया है कि अगर जरूरत पड़ी तो 6 महीने की अवधि को और बढ़ा सकते हैं। तो मेरा कहना है कि फर्ज कीजिए 7 महीने की और अवधि बढ़ा दें लेकिन कारखाना चालू है उसके बाद भी। तो मेरा कहना है कि 6 महीने की जगह पर उस में यह लगायें कि जब तक वह कारखाना चालू रहेगा तब तक उस में किसी प्रकार की तालाबन्दी नहीं होगी। कोई भी कारखाना आप मान लीजिए। अभी आप 1 साल तक तालाबन्दी को रोक रहे हैं, मेरा कहना है कि तालाबन्दी पर बराबर के लिए पाबन्दी लगायें यानी जब तक वह कारखाना काम करना रहे। अगर किसी वजह से कारखाना बन्द हो जाये वह अलग बात है। लेकिन जब तक चलता रहे तब तक तालाबन्दी करने का अधिकार उसे नहीं रहेगा। आप 6 महीने का और बढ़ायें, 6 महीने करना चाहते हैं 1 साल तक मेरा कहना है कि जब तक यह कारखाना चले 2 साल, 10 साल तक उस कारखानेदार को तालाबन्दी करने का अधिकार नहीं होगा।

दूसरी बात है आपने सजा की व्यवस्था इस में की है। जो इस तरह की तालाबन्दी करेंगे उनको 6 महीने आपने कहा है। मेरा कहना है कि उनको 2 साल की सजा कीजिए। पूंजीपतियों के प्रति इतनी हमदर्दी क्यों है? कहिए मजदूरों की बात और काम कीजिए पूंजीपतियों का। तो इसलिए उनको कम से कम 2 साल की सजा कीजिए और 1,000 रु० जुर्माना

की जगह पर 25,000 रु० जुर्माना कीजिए, सख्ती कीजिए ताकि आप मजदूरों के जीवन के साथ जो समझौतेदार या आपके लोग मिलवाइ करते हैं वह बंद हो। अभी मैं बताऊंगा रेल मंत्री जी यहां मौजूद हैं, रेल में जो बेचारे निर्माण का काम करते हैं उनको जब चाहते हैं आप निकाल देंगे है। तो इस तरह की बातों में सजा भी बढ़ा दीजिए और तालाबन्दी करने की भी राजा नही कीजिए।

SHRI MUKUNDA MANDAL: Sir, in this clause, closure is not included. Only lock-out is included. Therefore, I have suggested an amendment to this clause. Closure also should be included, because due to closure production is hampered. Government has deliberately left out this method of functioning of the owner. By keeping closure outside the purview, they are helping the management. As this Bill is silent about closure, owners of the units will take advantage of it. Thousands of units are under closure; but this Government has not taken steps against the owners of those industries. I can refer here that in West Bengal....

MR. CHAIRMAN: Please don't refer to it now.

SHRI MUKUNDA MANDAL: These industrialists should be brought to book because production is hampered due to their activities. Again, the punishment indicated here is six months. I have amended this clause by providing it as six years.

SHRI SUNIL MAITRA: How benignly does this Government appear democratic—this clause shows it. It is putting the employer and the employed on the same plane, as if in the society both the employer and the employed are placed on equal footing. Therefore, if there is breach of law, the worker has to go to jail for six months, the employer also will

have to undergo the same. In fact, the employer is sucking the blood of the workers. But this is the dispensation of the Government. My amendment is that instead of six months, it should be six years; and instead of Rs. 1,000/-, the fine should be raised to Rs. 30,000/-.

PROF. RUP CHAND PAL: As amply made out from this side, our economy suffers most, our production suffers most because of the employers who resort to lay-offs and lock-outs. So, my amendment is that in the case, of those employers who are holding our economy to ransom and who are stopping our production, the punishment should be more severe. So, my amendment seeks to increase the period of jail from six months to two years, and the amount of fine from Rs. 1,000/ to Rs. 20,000/.

23.23 hrs

[MR. DEPUTY-SPEAKER in the Chair]

SHRI SOMNATH CHATTERJEE: On two grounds, I am asking for amendment to Clause 8. One: it has been admitted by the hon. Home Minister that originally this clause was not there in the Ordinance—as you know; and it is only because of the inspiring leadership of the Prime Minister that it has come in. Therefore, my point is that it has to be treated separately. She is the supreme leader. Because of her suggestion, this has been done. So, six months proposed by the Home Minister cannot be applied for the provision suggested by the Prime Minister. Therefore, I propose that at least one year should be prescribed; and the fine should be increased from Rs. 1,000/- to Rs. 20,000/-. Equally important is the second reason that lock-out is a weapon of offence. While strike is a defensive measure. This is well settled. He cannot deny it. Now a weapon of offence for somebody who is taking an offensive by declaring a lock-out or a lay-off of his work can-

not be treated as the same person with the weaker section who is resorting to strike as a defensive weapon to protect himself from the onslaught of the employer. Therefore, how can you treat them on the same footing? The Labour Minister is here for a chang. He can also have a discussion with the hon. Home Minister. Therefore, if these two are on different footing, different planes, different strata of the society different strength, there cannot be equal treatment, so far as punishment and fine are concerned.

SHRI SUDHIR GIRI: On the grounds my predecessors have dealt with I have proposed that the employer should be fined not only with Rs. 1,000 but with Rs. 15,000.

SHRI HANNAN MOLLAH: The real people who are obstructing the production behind are the employers. So, they should be punished most with a punishment of 10 years.

SHRI AMAR ROY PRADHAN: The hon. Home Minister pretends to be a friend of the people. Even so, he has taken up the employer and the employees on par. Is it socialism, according to him? My amendment is that the punishment should be for 6 years in place of 6 months and the fine should be Rs. 1 lakh in place of Rs. 1000.

SHRI SATYAGOPAL MISRA: The employers are more harmful than the ordinary workers. Therefore, I have proposed to increase the punishment in the national interest.

SHRI CHITTA MAHATA: I propose to increase the punishment for 6 years in place of 6 months and a fine of Rs. 15,000 in place of Rs. 1000

SHRI R. K. MHALGI: My amendment is quite self-explanatory and therefore I do not want to add anything.

SHRI INDRAJIT GUPTA: My amendment to this Clause 8 seeks to widen its scope to cover not only

lock-outs and lay-offs but also closures. During the debate earlier today, the hon. Minister said something which I was not quite able to follow that they would have liked to have included closures. He said something about the court coming in the way. I would like him to explain it more clearly what he means by it because clause 8 says, if the Central Government is satisfied that in the public interest, it is necessary or expedient so to do, it may by general or special orders prohibit the lock-out. There I would like to add "prohibit lock-out, and closure". After all, we are dealing with the essential services which are defined and the Bill, says that it is meant to maintain certain essential services. I do not see how 'closure' can be excluded from this. It is a very serious matter. There are a large number of closures in the country. Therefore, closure should be brought under the scheme of this Bill.

MR. CHAIRMAN: Shri A. K. Roy.

SHRI A. K. ROY: Mr. Chairman, I also want to bring 'closure' within this clause and you know, as many of the Members have already said that this deliberate closure of the factories, potential factories, has created a problem of sick industry; and in our place also, as I told you, in Kumardibhi Engineering works 3,500 people are starving because of the mischief of the employers. Such employers should be punished. Punishment is important and what is more, that there should be public control. Socially and publicly the accused should be punished. There should be public control of such an employer and that should be brought within this Bill.

MR. CHAIRMAN: Shri Chitta Basu.

SHRI CHITTA BASU: What I want is very simple. The Government wants to prohibit lock out. They have seen other difficulties which has resulted in loss of production. That is due to closure. I think you

will not allow me to quote figures but there is a tremendous loss of production due to closure.

SHRI SOMNATH CHATTERJEE: Lay it on the Table of the House.

SHRI CHITTA BASU: I like to. There is a tremendous loss due to closure. The Supreme Court has held the view that the industry has got the Fundamental Right if it is a unit of business. Why should not there be a corresponding right for the workers to strike, to defend themselves? Here the Government is friendly to the employer. This raises the question of Fundamental Right of the employer to close resulting in loss of production and unemployment.

SHRI SOMNATH CHATTERJEE: Absolute right has been given. Supreme Court has not given.

SHRI CHITTA BASU: I have clarified that it should not have been included in this while prohibiting.... (Interruptions).

SHRI SOMNATH CHATTERJEE: What about quantum and punishment and fine?

SHRI CHITTA BASU: Yes, I agree.

SHRI SOMNATH CHATTERJEE: He has accepted my advice.

SHRI CHITTA BASU: I have accepted Mr. Chatterjee's amendment.

MR. CHAIRMAN: Shri Ananda Pathak.

SHRI ANANDA PATHAK: I suggested that for 'six months' the words 'six years' may be substituted; and a fine of "one thousand rupees" be changed to "twenty-five thousand rupees". Because we know all these penal provisions against employers are lenient. In our experience in connection with the prosecutions under the Plantation Labour Act, Provident Fund Act and other Acts we know that they come out easily and they do not implement the provisions of

law, and such provisions are violated. They are fined three or four hundred rupees and they pay and they come out and do not care to deposit the workers' share of Provident Fund with the Government. We have found that they are violating and escaping with impunity.

श्री विजय कुमार यादव : सभापति महोदय, वैसे तो मेरे इस में कई प्रमैडमेंट्स हैं लेकिन बन्दी सम्बन्धी प्रमैडमेंट के बारे में कई माननीय सदस्यों ने अपनी राय जाहिर कर दी है इसलिए मैं अपने दूसरे प्रमैडमेंट के बारे में अपनी बात रखना चाहता हूँ। जैसा कि श्री मिनिस्टर साहब ने भी कहा और दूसरे सरकारी पक्ष के लोगों ने कहा कि लाक आउट और ले आफ से उत्पादन को नुकसान हुआ है लेकिन इसके बाद भी इस क्लॉक की सीमा केवल 6 मास तक बढ़ाई गई है। इस का अर्थ यह हुआ कि 6 महीने के बाद कारखानेदारों को ले आफ और लाक आउट करने की छूट रहेगी। इस तरह की छूट उन को नहीं मिलनी चाहिए। इसी प्राणय का मैंने एक प्रमैडमेंट दिया है।

सजा के बारे में मेरा भी सुझाव यह है कि सेशन ट्रायल के अपराध के अन्तर् कारखानेदारों को लाना चाहिए और इस में जो सजा है उस को 6 साल किया जाना चाहिए और 1 हजार रुपये के जुमनि को बढ़ा कर 40 हजार किया जाना चाहिए गो कि यह भी कम है, इस से भी ज्यादा होना चाहिए।

SHRI AJOY BISWAS: Sir, my amendments are Nos. 493, to 494 and 495. When an employer declares a lock-out, the workers are put to great suffering. It is the employer who is responsible for the miseries of the workers by declaring a lock-out.

MR. CHAIRMAN: What is the punishment and fine you suggest?

SHRI AJOY BISWAS: Through my amendments I have sought to increase the imprisonment from six months to five years and to increase the fine from one thousand rupees to five thousands rupees.

SHRI BHOGENDRA JHA (Madhubani): It is a rare occasion in this House when the entire opposition is totally opposed to the Bill as a whole. All these amendments want to give more power to the executive and to the Government, but the Government seems to be unwilling to take those powers. You have been kind enough to suggest the principle of equality before law. In Clauses 6 and 7, the penalty for instigation of a strike is one year's imprisonment and fine upto two thousand rupees. The penalty for giving financial help to illegal strikes is one year's imprisonment and fine up to two thousand rupees. But the penalty for lock-out is only 6 months' imprisonment. I think the Government will take into account the principle of equality before law and bring the penalty to the level of at least one year. But the more important thing with which my amendment is concerned is with regard to the tenor of the order itself. In sub-clause (3) it is suggested that the notification will last for six months and can be renewed for another six months only. Thereafter, the employer will be free to declare a lock-out and enforce it. This clause is very hesitant and half-hearted and seems to have been put in unwillingly. It is an enabling clause and it says:

"If the Central Government is satisfied that in the public interest it is necessary or expedient so to do, it may, by general or special order, prohibit lock-outs..." etc.

In such a situation, I suggest that my amendment should be accepted and the tenor of the order should be extended.

श्री जल सिंह : सभापति महोदय, मैं आनन्दबल मेम्बरों के घोर और साहस की प्रशंसा करना हूँ। वह जानते भी हैं कि कोई बात बनेगी नहीं, बिल तो पास हो ही जायेगा, फिर भी इतने आशवासन बने हुए हैं, यह एक बहुत बड़ी बात है।

अमेन्डमेंट्स जितने आए हैं उस में एक ही प्वाइंट पर इन का एक मत नहीं है। कोई चार हजार कहता है, कोई पाँच हजार कहता है, कोई चालीस हजार कहता है।

श्री रामावतार शास्त्री : भाव जिस को चाहिए मान लीजिए।

श्री जल सिंह : श्री रामावतार जी मेरा क्या था कि वह रामावतार की बात करेंगे, लेकिन वह रामावतार की बात कर रहे हैं। रात के बारह बजे हैं, वह अभी भी ज़िद में पड़े हुए हैं। मुझे खुशी है कि उन लोगों ने इस बिल पर बड़ी दिलचस्पी ली लेकिन उनके जो संशोधन हैं उनकी मैं परवाह नहीं कर सकता।

SHRIMATI GEETA MUKHERJEE (Panskura): Does the Home Minister know to which clause he is replying? It is not yet 12 O'clock and this is the situation.

MR. CHAIRMAN: Now I shall put all the amendments to clause 8 to the vote of the House.

Amendments Nos. 24, 38 to 43, 62, 63, 80, 101, 165, 213, 247, 288, 312, 322, 366, 367, 368, 369, 373, 374, 375, 390, 394, 457, 460, 462, 493, 505 and 506 were put and negatived.

MR. CHAIRMAN: The question is:

"That clause 8 stand part of the Bill"

The motion was adopted.

Clause 8 was added to the Bill.

2346 hrs.

ARREST OF MEMBERS—Contd.

MR. CHAIRMAN: I have to inform

the House that the following telegrams dated 15th September, 1981, addressed to the Speaker, Lok Sabha, have been received today:—

(i) Telegram dated 15-9-81 from the Superintendent of Police, Chingleput, West District, Kanchipuram, Tamil Nadu.

"In connection with the proposed State-wise picketing in front of all the Collectorate by the DMK Party today, 15-9-81, Shri T Nagarathnam, MP, was arrested at Kanchipuram, Chingleput, West District today, 15-9-81 at 09.30 hours vide Sivakanchi Police Station Crime No. 596/81 under section 147/188 IPC read with 30(2) of Police Act and 7 (1) of Criminal Law Amendment Act. He is being sent for remand."

(ii) Telegram dated 15-9-81 from the Commissioner of Police, Egmore, Madras.

"I have the honour to inform you that Dr. V. Kulandavelu, MP, was arrested along with 130 others in Crime No. 513/81 under section 143/336/427 IPC read with 41, Madras City Police Act and 7(1) A Criminal Law Amendment Act today (15-9-81) at about 10.00 hours at Second Street, Palampuram, Madras-86, for taking out a procession with a view to staging a picketing in front of the office of the Deputy High Commissioner for Sri Lanka at Shafeemchand Road, Madras-8, in violation of the regulatory order in force in city. He was sent for remand."

2347 hrs.

ESSENTIAL SERVICES MAINTENANCE BILL—Contd.

Clause 9—(Power to prohibit lay-off in certain establishments.)

SHRI M. RAMANNA RAI: I beg to move:

Page 5, line 37,—

for "six months" substitute "six years" (25).

SHRI RAMAVATAR SHASTRI: I beg to move:

Page 5 lines 12 and 13,—

omit "(other than a badli workman or a casual workman)" (45)

Page 5, lines 18 and 19,—

for "six months only" substitute—

"as long as the establishments works" (46)

Page 5, lines 11 and 12,—

omit "other than shortage of power or natural calamity" (44). ..

Page 5, lines 19 to 21,—

omit "but the Central Government may, by a like Order, extend it for any period not exceeding six months if it is satisfied that in the public interest it is necessary or expedient so to do." (47)

Page 5,—

for lines 23 to 30, substitute—

"(a) no employer in relation to an establishment to which the order applies shall lay-off or continue the lay off of any workman whose name is borne on the muster rolls of such establishment and any laying off or continuation of laying off shall be illegal." (48)

Page 5, line 37,—

for "six months" substitute "two years". (49)

Page 5, line 37,—

for "or" substitute "and" (50)

Page 5, line 38,—

for "one thousand rupees" substitute "twenty five thousand rupees" (51)

SHRI SUNIL MAITRA: I beg to move:

Page 5, line 11,—

for "other than" substitute—"including" (81)

Page 5, line 25,—

for "other than" substitute "including" (82)

Page 5 line 37,—

for "six months" substitute "five years" (83)

Page 5, line 38,—

for "one thousand rupees" substitute "twenty thousand rupees" (84)

SHRI SATYANARAYAN JATIYA:
I beg to move:

Page 5, lines 12 and 13,—

for "(other than a badli workman or a casual workman)" substitute "(including a badli workman or a casual workman)" (128)

Page 5, line 25,—

for "(other than a badli workman or a casual workman)" substitute "(including a 'badli' workman or a casual workman)" (129)

SHRI BASUDEB ACHARYA: I beg to move:

Page 5, line 37,—

for "six months" substitute "ten years" (139)

Page 5, line 38,—

for "one thousand rupees" substitute "ten thousand rupees" (140)

SHRI SOMNATH CHATTERJEE:
I beg to move:

Page 5, line 37,—

for "six months" substitute "one year" (168)

SHRI SUSHIL BHATTACHARYA:
I beg to move:

Page 5,—

for lines 37 and 38 substitute—"with imprisonment for a term

[Shri Sushil Bhattacharya]

which may extend to five years or with fine which may extend to ten thousand rupees, or with both" (195)

SHRI SUDHIR GIRI: I beg to move:

Page 5, line 11,—

after "power" insert "based on facts" (214).

Page 5, line 27,—

after "power" insert "based on facts" (215).

Page 5, line 38,—

for "one thousand" substitute "fifty thousand of" (216).

SHRI AMAR ROY PRADHAN: I beg to move:

Page 5, line 38,—

for "one thousand" substitute "one lakh" (290).

SHRI A. K. ROY: I beg to move:

Page 5, line 11,—

for "other than" substitute "not excluding." (395).

Page 5, line 12,—

for "other than" substitute "including" (396).

Page 5, lines 26 to 30,—

for "unless such lay-off is due to shortage of power or to natural calamity and any laying-off or continuation of laying-off shall, unless such laying-off or continuation of laying-off is due to shortage of power or to natural calamity, be illegal" substitute "and any laying off or continuation of laying off shall be illegal" (398).

Page 5,—

after line 38, insert—

"(6) Any person or organisation who instigates or incites the employer or financially helps the employer to declare lock-

out, closure and lay-off would be punishable with imprisonment of five years and fine of five thousand rupees in the same public trial to be completed within a fortnight." (399).

SHRI VIJAY KUMAR YADAV: I beg to move:

Page 5,—

for lines 18 to 21, substitute—

"(3) An Order made under sub-section (1) shall remain in force for ever." (465).

Page 5, line 25,—

omit "(other than a badli workman or a casual workman)" (466).

Page 5, lines 26 and 27,—

omit "unless such lay-off is due to shortage of power or to natural calamity" (467).

Page 5, lines 28 to 30,—

omit "unless such laying-off or continuation of laying-off is due to shortage of power or to natural calamity." (468).

Page 5, line 38,—

for "one thousand" substitute "forty thousand" (470).

SHRI AJOY BISWAS: I beg to move:

Page 5, lines 11 to 14,—

omit "other than shortage of power or natural calamity, of any workman (other than a badli workman or a casual workman) whose name is borne on the muster rolls or any establishment pertaining to any essential service specified in the Order" (496)

Page 5, line 20,—

for "six months" substitute "two years" (497).

Page 5,—

omit lines 25 to 30. (498).

SHRI BHOGENDRA JHA: I beg to move:

Page 5,—

for lines 37 and 38, substitute—

"with imprisonment which may extend to two years and a fine of five thousand of rupees" (507)

SHRI M. RAMANNA RAI: My amendment No. 25 seeks to substitute "six years" for "six months". I would request that this amendment may be accepted by the Home Minister.

श्री रामाचतार शास्त्री: धारा 9 के अन्तर्गत कामबन्दी या ले-आफ पर प्रतिबन्ध लगाने की व्यवस्था है। जो स्थायी मजदूर हैं उनका तो ले-आफ नहीं होगा लेकिन जो बदली यानी नवस्टीट्यूट और आकस्मिक यानी कैजुअल मजदूर हैं उनका ले-आफ हो सकता है। यह बात सबस में नहीं आई है। वे बेचारे और भी कमजोर हैं और वर्षों तक काम करने के बाद भी उनको नियमित नहीं किया जाता है। मेरे संशोधन को मान लेने का अर्थ यह होगा कि इनका भी ले-आफ नहीं हो सकेगा।

आगे अगर ऐसा करते हैं तो सजा को बढ़ाया जाए, यह मेरा संशोधन है। मेरा ख्याल है कि सरकार इनको तो मान ही लेगी।

SHRI SUNIL MAITRA: Sir, the first provision of this clause is that the employees will be entitled to lay-off a *badli* workman or a casual workman. I think it is incorrect. Therefore, I have moved the amendment. Instead of "(other than a *badli* workman or a casual workman)" it should be "including a *badli* workman or a casual workman."

2044 LS—22

Regarding the violation of the law by the employer, my arguments are the same and the punishments to be meted out to them are the same as in the previous clause.

श्री संतय नारायण जाटिया: मेरा संशोधन यह है कि बदली कर्मचारों और आकस्मिक कर्मचारों को भी इस में सम्मिलित किया जाए। आकस्मिक और बदली काम करने वाले जो हैं उन लोगों की तो बराबर काम भी नहीं मिलता है, उनकी आर्थिक विपन्नता होती है। सरकार कहती है कि वह मजदूरों की हिमायती है। गृह मंत्री जी यह कह रहे थे कि वे उनकी दशा को जानते हैं। ऐसे जानी से मैं आग्रह करूंगा कि इस प्रकार की बात नहीं होनी चाहिए कि इनको निकाला जा सके। उनका भला करने की बात होनी चाहिए।

सरकार को गम बहुत है लेकिन आराम के साथ भले ही पूंजीपतियों से पैसा लेते हैं 'प्रतिष्ठान' के नाम पर ऐसा कहते हुए मैं यही आग्रह करूंगा कि मेरे संशोधन को मान लिया जाए।

SHRI BASUDEB ACHARIA: Sir, my amendment is for laying-off. "Six months" should be amended as "six years" and "Rupees one thousand" to "Rupees ten thousand".

SHRI SOMNATH CHATTERJEE: Sir, I will speak only on one of my amendments on which I am pressing and that is with regard to the *badli* workman or a casual workman. I know this has been almost copied from the Industrial Disputes Act, but they have gettisoned the Industrial Disputes Act in all other respects.

Sir, the workmen are kept on casual basis for years and years together. They take the usual method that after 14 days, they drop them for one day or two days, then again re-employ them and in this manner it goes on,

[Shri Somnath Chatterjee]

and Tiwari Ji knows about it. Therefore, when they are making a law inconsistent with the Industrial Disputes Act, why those clauses or provisions of the Industrial Disputes Act which are against the working people should be adopted? Therefore, I am saying that those words in the bracket should be omitted from clause 9.

On other amendments, though I do not want to speak, yet I am strongly supporting my amendments.

SHRI SUSHIL BHATTACHARYA: I have given this amendment because while bringing the Bill they have treated the workers at par with the management also. Some stringent punishment should have been for the managements. They have reduced the punishment and it has been kept at par with the punishment for the workers. My amendment is that imprisonment should be for five years for the management and fine should be Rs. 10,000/- for them.

SHRI SUDHIR GIRI: Under this clause provision has been made so that the employer may escape from the ambit of the ban on lay-off on the grounds of power shortage. This ground may be used as a pretext by the employer only to victimise the workers, only to cause them hardship. The ground may not be the real one. The employer may put forward the ground in connivance with the executive officer. I, therefore, emphasise that the ground of shortage of power must be based on facts authenticated by the workers.

The punishment should be Rs. 50,000 instead of Rs. 1,000/-.

SHRI AMAR ROYPRADHAN: If the hon. Minister is really concerned with the cause of the working class, he should accept my amendment i.e. for lay-off they should be locked up. The imprisonment should be six years and the fine should be Rs. 1 lakh.

SHRI A. K. ROY: Clause 9 has been put in such a way so that all un-

scrupulous employers will not be caught at all. All unscrupulous employers keep their employees as 'badli' and temporary. They keep very small number of permanent workers. All scope has been given so that they can escape from the purview of the law. Natural calamities, power shortage and all sorts of things have been put so that he can create excuses. That is why these things are there. The Home Minister should plug the loopholes of which the unscrupulous employers can take the help.

For strike the punishment is there as also for the trade union leader for exciting and inciting. But no provision has been made to punish those organisations and employers who will instigate and incite another employer to do it.

That is why I have put an amendment:

"(6) Any person or organisation—for example, Chamber of Commerce, etc.—who instigates or incites the employer or financially helps the employer to declare lockout, closure or lay-off would be punishable with imprisonment of five years and fine of five thousand rupees in the same public trial to be completed within a fortnight."

This is my small amendment.

24 hrs. (10-9-81q)

SHRI INDRAJIT GUPTA: Mr. Deputy-Speaker, Sir, I rise on a point of order. It is now, by this clock, 12 o'clock, mid-night, and that means Tuesday, the 15th September, is over. We have now started on Wednesday, the 16th September.

Now, according to our rules, according to the List of Business which has already been circulated for today, the 16th September, the business of this House is to commence at 11 A.M. It cannot commence before 11 A.M. and the business for the 15th September has not been concluded. Therefore,

this unfinished business has to be carried forward to the next day. That is our usual practice. But in any case, the business today for the day which has commenced now at mid-night cannot begin before 11 A.M. according to the List of Business which has already been circulated to us. Therefore, I have to request you to adjourn the House now and the business which is left unfinished has to be carried forward and taken up after 11 A.M., after the Question Hour, as is the rule. We cannot continue now under any rule. There is no rule under which you can continue now.

SHRI BAPUSAHEB PARULEKAR: I am on a point of order, Sir. My point of order is under rule 31(1) which says:

"A list of business for the day shall be prepared by the Secretary-General, and a copy thereof shall be made available for the use of every member."

For the 15th September, a copy of list of business has been made available to us and even a provisional list of business for the 16th September has been made available to us. That mentions that the business shall commence from 11 A.M. There is a practice that whatever business is unfinished shall be taken up on the next day. So, as per the two lists of business given to us, read with rule 31(1), we cannot continue. If we do continue this and if we pass the Bill, that would be illegal and the Bill will not be proper. I, therefore, caution the Government to consider that. I have given a piece of advice so that the Bill may not fall on this particular ground.

MR. DEPUTY-SPEAKER: We have many precedents and the House continues to sit and, therefore, there is no question of adjourning the House. The House continues to sit. (Interruptions)

SOME HON. MEMBERS: Under what rule?

SHRI INDRAJIT GUPTA: Please explain to us under what rule you can make us sit before 11 A.M. today. The proceedings can only begin at 11 A.M.

THE MINISTER OF STATE IN THE MINISTRY OF DEFENCE (SHRI SHIVRAJ V. PATIL): May I make a submission? This House is supreme. This House can decide as to when and for how much time it should work.

AN HON. MEMBER: Under what rule?

SHRI SHIVRAJ V. PATIL: Let me finish. We are working from 11 o'clock upto this time. This House can decide that we will continue to work after 12 o'clock also. That is the first point.

The second point is that if there is any rule which says that we should not work, if there is any rule which prohibits us from working, that rule also can be suspended by this House. As far as the business for 16th of September is concerned, it can be started at 11 o'clock on 16th. According to the procedure, there is no difficulty.

MR. DEPUTY-SPEAKER: We have got so many precedents. Now I shall take the sense of the House, whether the House continues to sit. (Interruptions) The House is supreme. The House shall continue. The House shall continue even after 12 o'clock. Now I call Mr. Vijay Kumar Yadav.

SHRI INDRAJIT GUPTA: If you want to continue, somebody on that side has to move a Motion to that effect.

MR. DEPUTY-SPEAKER: I take the sense of the House.

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI P. VENKATASUBAIAH): I am moving the motion.

I beg to move:

That this House do continue to sit till the Essential Services Maintenance Bill, 1981, is passed."

MR. DEPUTY-SPEAKER: The question is:

That this House do continue to sit till the Essential Services Maintenance Bill, 1981, is passed."

The Lok Sabha divided:

Division No. 26)

[00.11 hrs.

AYES

Ahmed, Shri Kamaluddin
Ankineedu Prasad Rao, Shri P.
Anuragi, Shri Godil Prasad
Appalanaidu, Shri S. R. A. S.
Arakal, Shri Xavier
Azad, Shri Bhagwat Jha
Azad, Shri Ghulam Nabi
Baitha, Shri D. L.
Bajpai, Dr. Rajendra Kumari
*Balan, Shri A. K.
Baleshwar Ram, Shri
Bansi Lal, Shri
Barot, Shri Maganbhai
Barway, Shri J. C.
Bhagwan Dev, Acharya
Bhardwaj, Shri Parasram
Bhatia, Shri R. L.
Bhoi, Dr. Krupasindhu
Bhuria, Shri Dileep Singh
Birender Singh, Rao
Brijendra Pal Singh, Shri
Buta Singh, Shri
Chakradhari Singh, Shri
Chandra Shekhar Singh, Shri
Chandrashekarappa, Shri T. V.
Chaturvedi, Shrimati Vidyawati
Chaudhary, Shri Manphool Singh
Chavan, Shri S. B.
Chennupati, Shrimati Vidya
Dalbir Singh, Shri
Das, Shri A. C.
Dennis, Shri N.
Dev, Shri Sontosh Mohan
Dhandapani, Shri C. T.

Era Anbarasu, Shri
Gadgil, Shri V. N.
Gadhavi, Shri Bheravadan K.
Gaikwad, Shri Udaysingrao
Gamt, Shri Chhitubhai
Gandhi, Shri Rajiv
Gehlot, Shri Ashok
Ghufran Azam, Shri
Gireraaj Singh, Shri
Gomango, Shri Giridhar
Gounder, Shri A. Senapathi
Gowda, Shri D. M. Putte
Jadeja, Shri Daulatsinhji
Jain, Shri Nihal Singh
Jain, Shri Viridhi Chander
Jamilur Rahman, Shri
Jena, Shri Chintamani
Jha, Shri Kamal Nath
Kamla Kumari, Kumari
Karma, Shri Laxman
Keyur Bhusan, Shri
Kidwai, Shrimati Mohsina
Krishna, Shri S. M.
Krishna Pratap Singh, Shri
Kuchan, Shri Gangadhar S.
Kunwar Ram, Shri
Kusuma Krishna Murthy, Shri
Lakkappa, Shri K.
Madhuri Singh, Shrimati
Mahajan, Shri Vikram
Mahendra Prasad, Shri
Makwana, Shri Narsinh
Mallick, Shri Lakshman
Mallikarjun, Shri
Mallu, Shri Anantha Ramulu
Meena, Shri Ram Kumar
Mehta, Dr. Mahipatray M.
Mishra, Shri Ram Nagina
Mishra, Shri Uma Kant
Misra, Shri Nityananda
Mohanty, Shri Brajamohan
Mohite, Shri Yashawantrao
More, Shri Ramkrishna

*wrongly voted for AYES.

Motilal Singh, Shri
 Murthy, Shri M. V. Chandrashekhara
 Murugian, Shri S.
 Muthu Kumaran, Shri R.
 Muttemwar, Shri Vilas
 Nagina Rai, Shri
 Naikar, Shri D. K.
 Namgyal, Shri P.
 Netam, Shri Arvind
 Nikhra, Shri Rameshwar
 Oraon, Shri Kartik
 Panday, Shri Kedar
 Pandey, Shri Krishna Chandra
 Panigrahi, Shri Chintamani
 Parashar, Prof. Narain Chand
 Pardhi, Shri Kesharao
 Parthasarathy, Shri P.
 Patel, Shri Amrit
 Patel, Shri Shantubhai
 Patel, Shri Uttambhai H.
 Patil, Shri Shivraj V.
 Patil, Shri Uttamrao
 Patil, Shri Veerendra
 Patil, Shri Vijay N.
 Patnaik, Shrimati Jayanti
 Pattabhal Rama Rao, Shri S. B. P.
 Pilot, Shri Rajesh
 Poojary, Shri Janardhana
 Prasan Kumar, Shri S. N.
 Pushpa Devi Singh, Kumari
 Quadri, Shri S. T.
 Ram, Shri Ramswaroop
 Ramamurthy, Shri K.
 Ran Vir Singh, Shri
 Rane, Shrimati Sanyogita
 Rao, Shrimati B. Radhabai Ananda
 Rao, Shri M. S. Sanjeevi
 Raut, Shri Bhola
 Ravani, Shri Navin
 Reddi, Shri G. S.
 Reddy, Shri K. Obul
 Reddy, Shri M. Ram Gopal
 Reddy, Shri P. Venkata

Saminuddin, Shri
 Sangma, Shri P. A.
 Satish Prasad Singh, Shri
 Satya Deo Singh, Prof.
 Sawant, Shri T. M.
 Sebastian, Shri S. A. Dorai
 Sethi, Shri Arjun
 Shaktawat, Prof. Nirmala Kumari
 Shankaranand, Shri B.
 Shanmugam, Shri P.
 Sharma, Shri Kali Charan
 Sharma, Shri Nand Kishore
 Sharma, Shri Nawal Kishore
 Shastri, Shri Dharam Dass
 Shiv Shankar, Shri P.
 Shivendra Bahadur Singh, Shri
 Shukla, Shri Vidya Charan
 Sidnal, Shri S. B.
 Singh, Dr. B. N.
 Singh Deo, Shri K. P.
 Sinha, Shrimati Kishori
 Sinha, Shrimati Ramdulari
 Soren, Shri Hari Har
 Soundararajan, Shri N.
 Sparrow, Shri R. S.
 Sreenivasa Prasad, Shri V.
 Sukhadia, Shri Mohan Lal
 Sultanpuri, Shri Krishan Dutt
 Sunder Singh, Shri
 Swami, Shri K. A.
 Tariq Anwar, Shri
 Tayyab Hussain, Shri
 Tewary, Prof. K. K.
 Thorat, Shri Bhausaheb
 Tiwari, Shri Narayan Datt
 Tytler, Shri Jagdish
 Vairale, Shri Madhusudan
 Varma, Shri Jai Ram
 Venkatasubbaiah, Shri P.
 Vijayaraghavan, Shri V. S.
 Virbhadr Singh, Shri
 Vyas, Shri Girdhari Lal
 Wagh, Dr. Pratap

Wasnik, Shri Balkrishna Ramchandra
Yadav, Shri Ram Singh
Yusuf, Shri Mohmed
Zail Singh, Shri
Zainul Basher, Shri

* NOES

Acharia, Shri Basudeb
Balanandan, Shri E.
Basu, Shri Chitta
Chatterjee, Shri Somnath
Chaudhuri, Shri Tridib
Choudhury, Shri Saifuddin
Ghosh Goswami, Shrimati Bibha
Giri, Shri Sudhir
Gopalan, Shrimati Suseela
Gupta, Shri Indrajit
Halder, Shri Krishna Chandra
Hasda, Shri Matilal
Jatiya, Shri Satyanarayan
Jha, Shri Bhogendra
Madhukar, Shri Kamla Mishra
Mahata, Shri Chitta
Maitra, Shri Sunil
Mandal, Shri Mukunda
Mandal, Shri Sanat Kumar
Mhalgi, Shri R. K.
Misra, Shri Satyagopal
Mukherjee, Shrimati Geeta
Mukherjee, Shri Samar
Pal, Prof. Rup Chand
Rajan, Shri K. A.
Rajda, Shri Ratansinh
Riyan, Shri Bajubhan
Roy Pradhan, Shri Amar
Shastri, Shri Ramavatar
Shejwalkar, Shri N. K.

Suraj Bhan, Shri
Surya Narayan Singh, Shri
Tirkey, Shri Pius
Unnikrishnan, Shri K. P.
Varma, Shri Ravindra
Yadav, Shri Vijay Kumar

MR. DEPUTY-SPEAKER: Subject to correction, the result** of the Division is: Ayes 168; Noes 36. The motion is adopted, and the House will continue.
(Interruptions) **

The motion was adopted

MR. DEPUTY-SPEAKER: Mr. Vijay Kumar Yadav. I allow nobody else. Nothing else will go on record.
(Interruptions) **

MR. DEPUTY-SPEAKER: Mr. Vijay Kumar Yadav. Ask your friends to sit down. You have been waiting for a long time. Come to the front, very near the mike, and speak.

(Interruptions) **

MR. DEPUTY-SPEAKER: Mr. Vijay Kumar Yadav. Ask your friends to sit down. You have been waiting for a long time. Come to the front, very near the mike, and speak.

SHRI SUBODH SEN: This is an irregular motion. How can you anticipate that the Bill will be passed?

MR. DEPUTY-SPEAKER: I always allow regular motions. I have never allowed irregular motions...

(Interruptions) *

**Not recorded.

**The following Members also
AYES: Sarvshri A. A. Rahim, B. K. Harinatha Misra, and P. V. G. Raju;
NOES: Sarvshi A. K. Roy, Babu Masudal Hossain, E.K. Embichib Biswas, Gadadhar Saha, M. M. Law Barman, Ananda Pathak, Sushil Bag, A. K. Balan and Dr. Saradish

recorded their votes:

Nair, Gulsher Ahmed, Ramayan Rai.

Saheb Parulekar, Zainal Abedin, Syedava, Bijoy Modak, P.K. Kodyan, Ajoy rence, M. Ramanna Rai, Palas Bhattacharya, Hannan Mollah, Ajit Roy.

MR. DEPUTY-SPEAKER: Please allow your colleague to speak. Mr. Vijay Kumar Yadav... I am sorry very knowledgeable persons, experienced parliamentarians behave like this... You please allow Mr. Yadav to speak.

SHRI SATYASADHAN CHAKRABORTY: Sir, I am sorry you are bidding good-bye to the rules. I don't mind your passing a regular motion.

श्री विजय कुमार यादव: मैंने इन संशोधनों में कई बातों का जिक्र किया है। . . . व्यवधान

मैंने सभी प्वाइंट्स कवर हो गए।

इति

MR. DEPUTY-SPEAKER: Mr. Ajoy Biswas. . .

(Interruptions)

MR. DEPUTY-SPEAKER: When the amendments are moved, there is no point of order. . . (Interruptions) I am not permitting that point of order.

Mr. Biswas. . . Are you going to speak or shall I call the next speaker? . . .

SHRI BHOGENDRA JHA: You are also not going to speak?

SHRI SATYASADHAN CHAKRABORTY: I am on a point of order—that the motion is not in order.

MR. DEPUTY-SPEAKER: I overrule your point of order.

I will now put all the amendments to vote.

Amendments Nos. 25, 44 to 51, 81 to 84, 128, 129, 139, 140, 168 195, 214 to 216, 290, 395, 396, 398, 399, 465 to 468, 470, 496 to 498 and 507 were put and negatived.

MR. DEPUTY-SPEAKER: Now, the question is:

"That clause 9 stand part of the Bill."

The motion was adopted.

Clause 9 was added to the Bill.

New Clause 9(A)

SHRI SOMNATH CHATTERJEE:

I beg to move:

Page 5,—

after line 38, insert—

"9A. If an employer closes down an establishment pertaining to any essential service on any ground other than natural calamity without the permission of the Government of the State in which the establishment is situated, he shall be punishable with imprisonment for a term of three years or with fine of rupees one lakh or with both." (291)

SHRI SATYAGOPAL MISRA: I beg to move:

Page 5,—

after line 38, insert—

"Power to prohibit closure in certain establishments.

9A(1) If the Central Government is satisfied that in the public interest it is necessary or expedient so to do, it may, by general or special order, prohibit closures in any establishments pertaining to any essential service specified in the order.

(2) An order made under subsection (1) shall be published in such manner as the Central Government considers best calculated to bring it to the notice of the persons affected by the order.

(3) An order made under subsection (1) shall be in force for

[Shri Satyagopal Misra]

six months only, but the Central Government may, by a like order, extend it for any period not exceeding six months if it is satisfied that in the public interest it is necessary so to do.

(4) Upon the issue of an order under sub-section (1),—

(a) no employer in relation to an establishment to the order applies shall commence any closure;

(b) any closure declared or commenced whether before or after the issue of the order by any employer in relation to an establishment to which the order applies shall be illegal.

(5) Any employer in relation to an establishment who commences, continues or otherwise acts in furtherance of a closure which is illegal under this section shall be punishable with imprisonment for a term which may extend to six months, or with fine which may extend to one thousand rupees, or with both." (317).

SHRI RAMAVATAR SHASTRI: I beg to move
Page 5,—

after line 38, insert—

"9A. (1) No employer in relation to an establishment to which the Order applies shall retrench or continue the retrenchment of any workman whose name is borne on the muster rolls of such establishment and any retrenchment or continuation of retrenchment shall be illegal.

(2) A workman whose retrenchment is illegal under sub-section (1) shall be entitled to all the benefits under any law for the time being in force as if he has not been retrenched.

(3) Any employer in relation to an establishment who retrench-

ches or continues the retrenchment if any workman shall, if such retrenchment or continuation of retrenchment is illegal under this section be punishable with imprisonment for a term which may extend to six months and with fine which may extend to five thousand rupees." (357).

SHRI A. K. ROY: I beg to move:
Page 5,—

after line 38, insert—

"9A. Any employer who commences a lockout, closure, lay off, dismissal, suspension, transfer or retrenchment of the employees, which is illegal, or helps and incites other employers to do that shall be liable to disciplinary action including dismissal from the ownership which shall mean in precise term nationalisation of his concern without compensation to prevent industrial unrests which is likely to arise out of his acts." (433).

MR. DEPUTY-SPEAKER: Mr. Somnath Chatterjee, are you speaking?
(Interruptions)

MR. DEPUTY-SPEAKER: Nothing other than Mr. Somnath Chatterjee will go on record.

Mr. Ramavatar Shastri, I will call you.... (Interruptions) I am not excited. I am never excited.

SHRI SOMNATH CHATTERJEE: I think you have forgotten your trade union days. Kindly see the amendment. At least let the House know through you my amendment.

MR. DEPUTY-SPEAKER: You read it.

SHRI SOMNATH CHATTERJEE:
My amendment is:

"If an employer closes down an establishment pertaining to any essential service on any ground other than natural calamity, without the permission of the Government of the State in which the establishment is situated, he shall be punishable with imprisonment for a term of three years or with fine of Rs. 1 lakh or with both."

Now, Sir, the hon. Home Minister piloting the Bill studiously avoided answering this. Mr. Stephen is now conspicuous by his absence when we are discussing in detail the merits of the Bill clause by clause and the amendments. He has stayed away. Now he remembers when he says that I shall put you in jail.

MR. DEPUTY-SPEAKER: He has never put in jail when he was a Communications Minister.

SHRI SOMNATH CHATTERJEE: He is going to put the people in Jail. Now, Sir, the closure is a pernicious thing. They take advantage of their own deliberate wrongs misappropriations, diversion of funds that has taken place, galore, in numerous cases. They close down and they get away. The company becomes sick; the employees go on the street; they starve, some of them have committed even suicide. Most of them have become hawkers or daily labourers. Nobody thinks of them. Umpteen number of cases have been brought to their notice. (Interruptions) You cannot think of common people. That is your trouble.

MR. DEPUTY-SPEAKER: Mr. Chairman, you please address the Chair.

SHRI SOMNATH CHATTERJEE: I am not a Chairman now. I am trying to protect the interests of the common people. I have reminded you a little while ago as to how the Binny was closed down and how

Mohini Mill was closed down or how the Hindustan Pilkington was closed down and how Kumar Dhubi was closed down. Has anybody said the causes for closing these down? You are now trying to take up an enlightened attitude. They will not stop the lockouts and layoffs. The closure is taken recourse to for the purpose of legitimatising the diversion of funds or misappropriation of funds. No action is being taken against them. When we specifically raised this point, no answer is being given.

MR. DEPUTY-SPEAKER: As a trade unionist why not you take the closure as a victory of the working class? In the Ordinance it comes.

SHRI SOMNATH CHATTERJEE: No, Sir. I am obliged to you for your misapprehension. You are under a misapprehension. Closure is not included.

MR. DEPUTY-SPEAKER: Not closure. Lock-out is there.

SHRI SOMNATH CHATTERJEE: That we know.

MR. DEPUTY-SPEAKER: Why don't you welcome that as a victory of the working class?

SHRI SOMNATH CHATTERJEE: There is no victory here. What is the victory? We want to know how many anti-social elements have been put behind the bars under the N.S.A.?

How many students, teachers, in the working class movement have been detained? You may be on the temporary majority. You may be feeling that, I am very strongly pressing my amendment. If the Government has any pretence of doing justice to the workers they should accept this.

SHRI SATYAGOPAL MISRA: Sir, Shri Venkatasubbaiah should have moved the motion before 12 O'clock

[Shri Satyagopal Misra]

After 12 O'clock how can he move it when the House is practically dead.

MR. DEPUTY-SPEAKER: You come to your amendment.

SHRI SATYAGOPAL MISRA: I only want that closure should be included with the lay-outs and lay-offs. This is a simple amendment and I urge upon the Home Minister to accept this and thus save the interests of the country.

श्री रामबतार शास्त्री : उपाध्यक्ष महोदय, मेरा संशोधन छंटनी को रोकने वाला है। ऐसा संशोधन मैंने क्यों पेश किया, मुझे थोड़ा निवेदन करने दीजिए। सब से पहले तो मैं अपने संशोधन को पढ़ता हूँ—

357 पृष्ठ 6—

पंक्ति 18 के परवात् अन्तःस्थापित किया जाए—

9(क) (1) ऐसे किसी स्थान का नियोजक जिस के सम्बन्ध में ऐसा आदेश लागू होगा किसी ऐसे कर्मकार की जिस का नाम ऐसे स्थापन की नामावली में है, छंटनी नहीं करेगा या छंटनी जारी नहीं रखेगा तथा ऐसी कोई छंटनी या उसका जारी रखना अवैध होगा।

(2) ऐसा कर्मकार, जिस की छंटनी उपधारा (1) के अधीन अवैध है, उस समय प्रवृत्त विधि के अधीन सभी फायदों के लिए हकदार होगा मानों उसकी छंटनी नहीं की गई है।

(3) किसी स्थापन के सम्बन्ध में ऐसा नियोजक जो किसी कर्मकार की छंटनी करता है या छंटनी जारी रखता है, यदि ऐसी छंटनी करना या छंटनी जारी रखना इस धारा के अधीन अवैध है, तो वह कारावास से, जिस की अवधि

छः मास तक की हो सकेगी और जुर्माने, जो पाँच हजार रुपये तक का हो सकेगा, दंडनीय होगा।

यह सवाल पूरे हिन्दुस्तान में बहुत व्यापक है। सब लोग जानते हैं कि किस तरह से मजदूरों की बिना कितन कारण के छंटनी कर दी जाती है और उन को भूखों मरने के लिए सड़कों पर फेंक दिया जाता है। मैं इस सिलसिले में रेलवे का उदाहरण देना चाहता हूँ रेलवे के लाखों कंस्ट्रक्शन वर्कर्स हैं, उनको आप जब चाहते हैं नौकरी से निकाल देते हैं और नयों को ले आते हैं। रेलवे एक सार्वजनिक संस्थान है। कोई व्यक्तिगत या निजी पूंजीपति का संस्थान नहीं है। आप ने पिछले साल बड़े पैमाने पर एन० ई० रेलवे में निर्माण मजदूरों को नौकरी से निकाल दिया। उन्होंने आवाज बुलन्द की तो 55 मजदूरों को नौकरी से भी निकाल दिया और आज तक उन को नहीं रखा गया। मेरा निवेदन है कि यह संशोधन बहुत आवश्यक है तथा इस कानून में रहना चाहिए ताकि छंटनी न सरकारी कारखाने कर सकें और न निजी कारखाने कर सकें।

SHRI A. K. ROY: Sir, on two points there is some imbalance in the Bill. One is that for launching an illegal strike the workman have been threatened with the dismissal as a disciplinary measure but for launching an illegal lockout no such disciplinary measures are there against the owners. So Sir, I propose that like workmen the owners should also be dismissed from the ownership of the factory. Dismissal from the ownership precisely means nationalisation or take-over without compensation.

The second imbalance is this, that if any workman helps financially or incites some other worker to go on strike that person is also penalised

with higher punishment. But here, if any other employer or organisation incites or helps the erring employer for launching this illegal lock-out, such punishment is not there. I say that it should also be included. You know very well that the employers have got their unions. The strike of the capitalists is today more pronounced and prominent than the strike of the workmen and the labourer. So, I request that these two provisions may be accepted by the Minister. Let me read out my amendment. It says..

MR. DEPUTY SPEAKER: No. Don't read that It has been circulated. Everybody has read it.

SHRI A. K. ROY: Have you read it yourself?

MR. DEPUTY-SPEAKER: Yes; everybody has read it. It was circulated. Shall I put all the amendments together for insertion of the New Clause, that is, 9A.?

SHRI SOMNATH CHATTERJEE: My amendment is different. I don't know about others' amendments; but this is different and I want this to be put separately.

SHRI A. K. ROY: Will the Minister reply or you will reply?

(Interruptions)

MR. DEPUTY-SPEAKER: Order please. All of you may please sit down. He is going to reply now. Please listen.

(Interruptions)

MR. DEPUTY-SPEAKER: You want him to reply and you don't listen; Please listen.

श्री जल सिंह : डिप्टी स्पीकर साहब, मेम्बर साहबान ने अपने संशोधन भी सुनाये और उन पर अपने विचार भी प्रकट किए। मैंने उन को पूरा ध्यान से सुना। मुझे इस बात का भी ख्याल है कि पहले हमारी लेडो-मेम्बर गीता मुखर्जी ने कहा था कि मैंने संशोधनों का उत्तर

नहीं दिया। चूंकि समय की कमी है और उनके विचार बहुत कीमती हैं, आप के जो संशोधन हैं वे सरकार के पात्र हैं, मगर स्वीकार करने के पात्र नहीं हैं। इस लिए मैं उन्हें मंजूर नहीं कर सकता।

MR. DEPUTY-SPEAKER: Now, I shall put Amendment No. 291 moved by Shri Somnath Chatterjee for insertion of a new Clause namely Clause 9A. to the vote of the House.

SOME HON. MEMBERS: Let the Lobby be cleared.

MR. DEPUTY-SPEAKER: The lobbies have been cleared. The question is:

Page 5,—

after line 38, insert—

"9A. If an employer closes down an establishment pertaining to any essential service on any ground other than natural calamity without the permission of the Government of the State in which the establishment is situated, he shall be punishable with imprisonment for a term of three years or with fine of rupees one lakh or with both." (29).

The Lok Sabha divided:

AYES

Division No. 27]

[0.37 hrs.

Acharia, Shri Basudeb
Balan, Shri A. K.
Balanandan, Shri E.
Barman, Shri Palas
Basu, Shri Chitta
Bhattacharyya, Shri Sushil
Biswas, Shri Ajoy
Chakraborty, Shri Satyasadhan
Chatterjee, Shri Somnath
Chaudhuri, Shri Tridib
Choudhury, Shri Saifuddin

Das, Shri R. P.

Ghosh, Shri Niren

Ghosh Goswami, Shrimati Bibha

Giri, Shri Sudhir

Gopalan, Shrimati Suseela

Gupta, Shri Indrajit

Halder, Shri Krishna Chandra

Hannan Mollah, Shri

Hasda, Shri Matilal

Imbichibava, Shri E. K.

Jatiya, Shri Satyanarayan

Jha, Shri Bhogendra

Kodiyar, Shri P. K.

Lawrence, Shri M. M.

Mahata, Shri Chitta

Maitra, Shri Sunil

Mandal, Shri Mukunda

Mandal, Shri Sanat Kumar

Masudal Hossain, Shri Syed

Mhalgi, Shri R. K.

Misra, Shri Satyagopal

Modak, Shri Bijoy

Mohammed Ismail, Shri

Mukherjee, Shrimati Geeta

Mukherjee, Shri Samar

Pal, Prof. Rup Chand

Parulekar, Shri Bapusaheb

Pathak, Shri Ananda

Rai, Shri M. Ramanna

Rajan, Shri K. A.

Rajda, Shri Ratansinh

Riyan, Shri Baju Ban

Roy, Dr. Saradish

Roy Pradhan, Shri Amar

Saha, Shri Ajit Kumar

Saha, Shri Gadadhar

Sen, Shri Subodh

Shastri, Shri Ramavatar

Shejwalkar, Shri N. K.

Suraj Bhan, Shri

Surya Narayan Singh, Shri

Tirkey, Shri Pius

Unnikrishnan, Shri K. P.

Varma, Shri Ravindra

Yadav, Shri Vijay Kumar

Zainal Abedin, Shri

NOES

Ahmed, Shri Kamaluddin

Ankineedu Prasad Rao, Shri P.

Anuragi, Shri Godil Prasad

Appalanaidu, Shri S. R. A. S.

Arakal, Shri Xavier

Azad, Shri Bhagwat Jha

Azad, Shri Ghulam Nabi

Baitha, Shri D. L.

Bajpai, Dr. Rajendra Kumari

Baleshwar Ram, Shri

Bansi Lal, Shri

Barot, Shri Maganbhai

Barway, Shri J. C.

Bhagwan Dev, Acharya

Bhakta, Shri Manoranjan

Bhardwaj, Shri Parasram

Bhatia, Shri R. L.

Bhoi, Dr. Krupasindhu

Bhuria, Shri Dileep Singh

Brijendra Pal Singh, Shri

Buta Singh, Shri

Chakradhari Singh, Shri

Chandra Shekhar Singh, Shri

Chandrashekarappa, Shri T. V.

Chaturvedi, Shrimati Vidyawati

Chaudhary, Shri Manphool Singh

Chavan, Shri S. B.

Chennupati, Shrimati Vidya

Dalbir Singh, Shri

Das, Shri A. C.

Dennis, Shri N.

Dev, Shri Sontosh Mohan

Dhandapani, Shri C. T.

Era Anbarasu, Shri

Gadgil, Shri V. N.

Gadhavi, Shri Bheradlan K.

Gaikwad, Shri Udaysingrao

Gamit, Shri Chhitubhai

Gandhi, Shri Rajiv

Gehlot, Shri Ashok

Ghufran Azam, Shri

Gireraj Singh, Shri

Gomango, Shri Giridhar

Gounder, Shri A. Senapathi

Gowda, Shri D. M. Putte
 Gulsher Ahmed, Shri
 Jadeja, Shri Daulatsinhji
 Jain, Shri Nihal Singh
 Jain, Shri Virdhi Chander
 Jamilur Rahman, Shri
 Jena, Shri Chintamani
 Jha, Shri Kamal Nath
 Kamla Kumari, Kumari
 Karma, Shri Laxman
 Keyur Bhusan, Shri
 Kidwai, Shrimati Mohsina
 Krishna, Shri S. M.
 Krishna Pratap Singh, Shri
 Kuchan, Shri Gangadhar S.
 Kunwar Ram, Shri
 Kusuma Krishna Murthy, Shri
 Lakkappa, Shri K.
 Madhuri Singh, Shrimati
 Mahajan, Shri Vikram
 Mahendra Prasad, Shri
 Makwana, Shri Narsinh
 Mallick, Shri Lakshman
 Mallikarjun, Shri
 Mallu, Shri Anantha Ramulu
 Meena, Shri Ram Kumar
 Mehta, Dr. Mahipatray M.
 Mishra, Shri Ram Nagina
 Mishra, Shri Umakant
 Misra, Shri Harinatha
 Misra, Shri Nityananda
 Mohanty, Shri Brajamohan
 Mohite, Shri Yashwantrao
 More, Shri Ramkrishna
 Motilal Singh, Shri
 Murthy, Shri M. V. Chandrashekhara
 Murugian, Shri S.
 Muthu Kumaran, Shri R.
 Muttemwar, Shri Vilas
 Nagina Rai, Shri
 Naikar, Shri D. K.
 Nair, Shri B. K.

Netam, Shri Arvind
 Nikhra, Shri Rameshwar
 Oraon, Shri Kartik
 Pandey, Shri Kedar
 Pandey, Shri Krishna Chandra
 Panigrahi, Shri Chintamani
 Parashar, Prof. Narain Chand
 Pardhi, Shri Kesharao
 Parthasarathy, Shri P.
 Patel, Shri Amrit
 Patel, Shri Shantubhai
 Patel, Shri Uttambhai H.
 Patil, Shri Shivraj V.
 Patil, Shri Uttamrao
 Patil, Shri Veerendra
 Patil, Shri Vijay N.
 Patnaik, Shrimati Jayanti
 Pattabhi Rama Rao, Shri S.B.P.
 Pilot, Shri Rajesh
 Poojary, Shri Janardhana
 Prasan Kumar, Shri S. N.
 Pushpa Devi Singh, Kumari
 Quadri, Shri S. T.
 Rahim, Shri A. A.
 Raju, Shri P. V. G.
 Ram, Shri Ramswaroop
 Ramamurthy, Shri K.
 Ran Vir Singh, Shri
 Rane, Shrimati Sanyogita
 Rao, Shrimati B. Radhabai Ananda
 Rao, Shri M. S. Sanjeevi
 Raut, Shri Bhola
 Ravani, Shri Navin
 Reddy, Shri G. S.
 Reddy, Shri K. Obul
 Reddy, Shri M. Ram Gopal
 Reddy, Shri P. Venkata
 Saminuddin, Shri
 Sangma, Shri P. A.
 Satish Prasad Singh, Shri
 Satya Deo Singh, Prof.
 Sawant, Shri T. M.
 Sebastian, Shri S. A. Dorai

Sethi, Shri Arjun
 Shakhawat, Prof. Nirmala Kumari
 Shankaranand, Shri B.
 Shanmugam, Shri P.
 Sharma, Shri Kali Charan
 Sharma, Shri Nand Kishore
 Sharma, Shri Nawal Kishore
 Shastri, Shri Dharam Dass
 Shiv Shankar, Shri P.
 Shivendra Bahadur Singh, Shri
 Shukla, Shri Vidya Charan
 Sidnal, Shri S. B.
 Singh, Dr. B. N.
 Singh Deo, Shri K. P.
 Sinha, Shrimati Ramdulari
 Soren, Shri Hari Har
 Sparrow, Shri R. S.
 Sreenivasa Prasad, Shri V.
 Sukhadia, Shri Mohan Lal
 Sultanpuri, Shri Krishan Dutt
 Sunder Singh, Shri
 Swami, Shri K. A.
 Tariq Anwar, Shri
 Tayyab Hussain, Shri
 Tewary, Prof. K. K.
 Thorat, Shri Bhausahab
 Tiwari Shri Narayan Datt
 Tytler, Shri Jagdish
 Vairale, Shri Madhusudan
 Varma, Shri Jai Ram
 Venkatasubbaiah, Shri P.
 Vijayaraghavan, Shri V. S.
 Virbhadra Singh, Shri
 Vays, Shri Girdhari Lal
 Wagh, Dr. Pratap
 Wasnik, Shri Balkrishna Ramchandra
 Yadav, Shri Ram Singh
 Yusuf, Shri Mohmed

Zail Singh, Shri
 Zanol Basher, Shri

MR. DEPUTY-SPEAKER. Subject to collection, the result* of the division is Ayes 57; Noes 169.

The motion was negatived.

MR. DEPUTY-SPEAKER: Now, shall I put all the other amendments for insertion of New Clause 9A together to the vote of the House?

SOME HON. MEMBERS: No.

MR. DEPUTY-SPEAKER: All right. Now, I will put amendment No. 317 moved by Satyagopal Misra to the vote of the House.

The question is:

Page 5,—

after line 38, insert—

"Power to prohibit clauses in certain establishments.

9A (1) If the Central Government is satisfied that in the public interest it is necessary or expedient so to do, it may, by general or special order, prohibit closures in any establishments pertaining to any essential service specified in the order.

(2) An order made under sub-section (1) shall be published in such manner as the Central Government considers best calculated to bring it to the notice of the persons affected by the order.

(3) An order made under sub-section (1) shall be in force for six months only, but the Central Government may, by a like order, extend it for any period not exceeding six months if it is satisfied that in the public interest it is necessary so to do.

*The following Members also recorded their votes.

AYES: Shri A. K. Roy and Shri Ajit Bag;

NOES: Shri Ramayan Rai and Shri P. Namgyal

(4) Upon the issue of an order under sub-section (1),—

(a) no employer in relation to an establishment to the order applies shall commence any closure;

(b) any closure declared or commenced whether before or after the issue of the order by any employer in relation to an establishment to which the order applies shall be illegal.

(5) Any employer in relation to an establishment who commences, continues or otherwise acts in furtherance of a closure which is illegal under this section shall be punishable with imprisonment for a term which may extend to six months, or with fine which may extend to one thousand rupees, or with both. (317)

The motion was negatived.

SOME HON. MEMBERS: 'Noes' have it.

MR. DEPUTY SPEAKER: I have already announced. You did not raise it at that time. I have already announced.

I shall not put amendment No. 35/ moved by Shri Ramavatar Shastri for insertion of a new clause to the vote of the House. The question is:

Page 5,—

after line 38, insert

9A. (1) No employer in relation to an establishment to which the Order applies shall retrench or continue the retrenchment of any workman whose name is borne on the muster rolls of such establishment and any retrenchment or continuation of retrenchment shall be illegal.

(2) A workman whose retrenchment is illegal under sub-section (1) shall be entitled to all the benefits under any law for the time being in force as if he has not been retrenched.

(3) Any employer in relation to an establishment who retrench-

ches or continues the retrenchment of any workman shall, if such retrenchment or continuation of retrenchment is illegal under this section be punishable with imprisonment for a term which may extend to six months and with fine which may extend to five thousand rupees." (357).

hTe Lok Sabha divided!

AYES

Division No. 28] [0.44 hrs.

Acharia, Shri Basudeb
 Balan, Shri A. K.
 Balanandan, Shri E.
 Barman, Shri Palas
 Basu, Shri Chitta
 Bhattacharyya, Shri Sushil
 Biswas, Shri Ajoy
 Choudhury, Shri Saifuddin
 Chatterjee, Shri Somnath
 Chaudhuri, Shri Tridib
 Choudhury, Shri Saifuddin
 Das, Shri R. P.
 Ghosh, Shri Niren
 Ghosh Goswami, Shrimati Bibha
 Giri, Shri Sudhir
 Gopalan, Shrimati Suseela
 Gupta, Shri Indrajit
 Halder, Shri Krishna Chandra
 Hannan Mollah, Shri
 Hasda, Shri Matilal
 Imbichibava, Shri E. K.
 Jatiya, Shri Satyanarayan
 Jha, Shri Bhogendra
 Kodiyan, Shri P. K.
 Lawrence, Shri M. M.
 Mahata, Shri Chitta
 Maitra, Shri Sunil
 Mandal, Shri Mukunda
 Mandal, Shri Sanat Kumar
 Masudal Hossain, Shri Syed
 Mhalgi, Shri R. K.
 Misra, Shri Satyagopal
 Modak, Shri Bijoy

Mohammed Ismail, Shri
 Mukherjee, Shrimati Geeta
 Mukherjee, Shri Samar
 Pal, Prof. Rup Chand
 Parulekar, Shri Bapusaheb
 Pathak, Shri Ananda
 *Pattabhi Rama Rao, Shri S. B. P.
 Rai, Shri M. Ramanna
 Rajan, Shri K. A.
 Rajaa, Shri Ratansinh
 Riyan, Shri Bajju Ban
 Roy, Dr. Saradish
 Roy Pradhan, Shri Amar
 Saha, Shri Ajit Kumar
 Saha, Shri Gadadhar
 Sen, Shri Subodh
 Shastri, Shri Ramavatar
 Shejwalkar, Shri N. K.
 Suraj Bhan, Shri
 Surya Narayan Singh, Shri
 Tirkey, Shri Pius
 Unnikrishnan, Shri K. P.
 Varma, Shri Ravindra
 Yadav, Shri Vijay Kumar
 Zainal Abedin, Shri

NOES .

Ahmed, Shri Kamaluddin
 Ankineedu Prasad Rao, Shri P.
 Anuragi, Shri Godil Prasad
 Appalanainou, Shri S. R. A. S.
 Arakal, Shri Xavier
 Azad, Shri Bhagwat Jha
 Azad, Shri Ghulam Nabi
 Baitha, Shri D. L.
 Bajpai, Dr. Rajendra Kumari
 Baleshwar Ram, Shri
 Bansi Lal, Shri
 Barot, Shri Maganbhai
 Barway, Shri J. C.
 Bhagwan Dev, Acharya

Bhakta, Shri Manoranjan
 Bhardwaj, Shri Parasram
 Bhatia, Shri R. L.
 Bhol, Dr. Krupasindhu
 Bhuria, Shri Dileep Singh
 Brijendra Pal Singh, Shri
 Buta Singh, Shri
 Chakradhari Singh, Shri
 Chandra Shekhar Singh, Shri
 Chandrashekharaappa, Shri T. V.
 Chaturvedi, Shrimati Vidyawati
 Chaudhary, Shri Manphool Singh
 Chavan, Shri S. B.
 Chennupati, Shrimati Vidya
 Das, Shri A. C.
 Dennis, Shri N.
 Dev, Shri Sontosh Mohan
 Dhandapani, Shri C. T.
 Era Anbarasu, Shri
 Gadgil, Shri V. N.
 Gadhavi, Shri Bheravadan K.
 Gaikwad, Shri Udaysingrao
 Gamit, Shri Chhitubhai
 Gandhi, Shri Rajiv
 Gehlot, Shri Ashok
 Ghufraan Azam, Shri
 Gireraaj Singh, Shri
 Gomango, Shri Giridhar
 Gounder, Shri A. Senapathi
 Gowda, Shri D. M. Putte
 Gulsher Ahmed, Shri
 Jaceja, Shri Daulatsinhji
 Jain, Shri Nihal Singh
 Jain, Shri Virdhi Chander
 Jamilur Rahman, Shri
 Jena, Shri Chintamani
 Jha, Shri Kamal Nath
 Kamla Kumari, Kumari
 Karma, Shri Laxman
 Keyur Bhusan, Shri
 Kidwai, Shrimati Mohsina

*Wrongly voted for AYES.

Krishna, Shri S. M.
 Krishna Pratap Singh, Shri
 Kuchan, Shri Gangadhar S.
 Kunwar Ram, Shri
 Kusuma Krishna Murthy, Shri
 Lakkappa, Shri K.
 Madhuri Singh, Shrimati
 Mahajan, Shri Vikram
 Mahendra Prasad, Shri
 Makwana, Shri Narsinh
 Mallick, Shri Lakshman
 Mallikarjun, Shri
 Mallu, Shri Anantha Ramulu
 Meena, Shri Ram Kumar
 Mehta, Dr. Mahipatray M.
 Mishra, Shri Ram Nagina
 Mishra, Shri Umakant
 Misra, Shri Nityananda
 Mohanty, Shri Brajamohan
 Mohite, Shri Yashwantrao
 More, Shri Ramkrishna
 Motilal Singh, Shri
 Murthy, Shri M. V. Chandrashekhara
 Murugian, Shri S.
 Muthu Kumaran, Shri R.
 Muttemwar, Shri Vilas
 Nagina Rai, Shri
 Naikar, Shri D. K.
 Nair, Shri B. K.
 Namgyal, Shri P.
 Netam, Shri Arvind
 Nikhra, Shri Rameshwar
 Oraon, Shri Kartik
 Pandey, Shri Kedar
 Pandey, Shri Krishna Chandra
 Panigrahi, Shri Chintamani
 Parashar, Prof. Narain Chandra
 Pardhi, Shri Keshao Rao
 Parthasarathy, Shri P.
 Patel, Shri Amrit
 Patel, Shri Shantubhai
 Patel, Shri Uttambhai H.
 Patil, Shri Shivrati V.

Patil, Shri Uttamrao
 Patil, Shri Veerendra
 Patil, Shri Vijay N.
 Patnaik, Shrimati Jayanti
 Pilot, Shri Rajesh
 Poojary, Shri Janardhana
 Prasan Kumar, Shri S. N.
 Pushpa Devi Singh, Kumari
 Quadri, Shri S. T.
 Rahim, Shri A. A.
 Raju, Shri P. V. G.
 Ram, Shri Ramswaroop
 Ramamurthy, Shri K.
 Ran Vir Singh, Shri
 Rane, Shrimati Sanyogita
 Rao, Shrimati B. Radhabai Ananda
 Rao, Shri M. S. Sanjeevi
 Raut, Shri Bhola
 Ravani, Shri Navin
 Reddi, Shri G. S.
 Reddy, Shri K. Obul
 Reddy, Shri M. Ram Gopal
 Reddy, Shri P. Venkata
 Saminuddin, Shri
 Sangma, Shri P. A.
 Satish Prasad Singh, Shri
 Satya Deo Singh, Prof.
 Sawant, Shri T. M.
 Sebastian, Shri S. A. Dorai
 Sethi, Shri Arjun
 Shaktawat, Prof. Nirmala Kumari
 Shankaranand, Shri B.
 Shanmugam, Shri P.
 Sharma, Shri Nand Kishore
 Sharma, Shri Nawal Kishore
 Shiv Shankar, Shri P.
 Shivendra Bahadur Singh, Shri
 Shukla, Shri Vidya Charan
 Sidnal, Shri S. B.
 Singh, Dr. B. N.
 Singh Deo, Shri K. P.
 Sinha, Shrimati Ramdulari
 Soren, Shri Hari Har
 Sparrow, Shri R. S.

Sreenivasa Prasad, Shri V.
Sultanpuri, Shri Krishan Dutt
Sunder Singh, Shri
Swami, Shri K. A.
Tayyab Hussain, Shri
Tewary, Prof. K. K.
Thorat, Shri Bhausaheb
Tiwari, Shri Narayan Datt
Tytler, Shri Jagdish
Vairale, Shri Madhusudan
Varma, Shri Jai Ram
Venkatasubbaiah, Shri P.
Vijayaraghavan, Shri V. S.
Virbhadra Singh, Shri
Vyas, Shri Girdhari Lal
Wagh, Dr. Pratap
Wasnik, Shri Balkrishna Ramchandra
Yadav, Shri Ram Singh
Yusuf, Shri Mohmed
Zail Singh, Shri
Zainul Basher, Shri

MR. DEPUTY-SPEAKER: Subject to correction, the result* of the division is: Ayes 58, Noes 163.

The motion was negatived.

MR. DEPUTY-SPEAKER: Now I shall put amendment no. 433 moved by Shri A. K. Roy to the vote of the House. The question is:

"Page 5,—

after line 38, insert—

"9A. Any employer who commences a lock-out, closure, lay off, dismissal, suspension, transfer or retrenchment of the employees, which is illegal, or helps and incites other employers to do that shall be liable to disciplinary action including dismissal from the ownership which shall mean in precise term nationalisation of his concern with-

out compensation to prevent industrial unrests which is likely to arise out of his acts." (433)

The Lok Sabha divided:

Divisional No. 29] [00.50 hrs.

AYES

Acharla, Shri Basudeb
Balanandan, Shri E.
Barman, Shri Palas
Basu, Shri Chitta
Bhattacharyya, Shri Sushil
Biswas, Shri Ajoy
Chakraborty, Shri Satyasadhan
Chatterjee, Shri Somnath
Chaudhuri, Shri Tridib
Choudhary, Shri Saifuddin
Das, Shri R. P.
Ghosh, Shri Niren
Ghosh Goswami, Shrimati Bibha
Giri, Shri Sudhir
Gopalan Shrimati Suseela
Gupta, Shri Indrajit
Halder, Shri Krishna Chandra
Hannan Mollah, Shri
Hasda, Shri Matilal
Imbichibava, Shri E. K.
Jatiya, Shri Satyanarayan
Jha, Shri Bhogendra
Kodiyan, Shri P. K.
Lawrence, Shri M. M.
Mahata, Shri Chitta
Maitra, Shri Sunil
Mandal, Shri Mukunda
Mandal, Shri Sanat Kumar
Masudal Hossain, Shri Syed
Misra, Shri Satyagopal
Modak, Shri Bijoy
Mohammed Ismail, Shri

*The following Members also recorded their votes:

AYES: Shri A. K. Roy and Shri Ajit Bag;

NOES: Sarveshri Kali Charan Sharma Dalbir Singh, Dharma Das Shastri, Ramayan Rai, Harinath Misra, Tariq Anwar and S. B. P. Patabhai Rama Rao.

Mukherjee, Shrimati Geeta
 Mukherjee, Shri Samar
 Pal, Prof. Rup Chand
 Pathak, Shri Ananda
 Rai, Shri M. Ramanna
 Rajan, Shri K. A.
 Riyan, Shri Baju Ban
 Roy, Dr. Saradish
 Roy Pradhan, Shri Amar
 Saha, Shri Ajit Kumar
 Saha, Shri Gadadhar
 Sen, Shri Subodh
 Shastri, Shri Ramavatar
 Shejwalkar, Shri N. K.
 Suraj Bhan, Shri
 Surya Narayan Singh, Shri
 Tirkey, Shri Pius
 Unnikrishnan, Shri K. P.
 Varma, Shri Ravindra
 Yadav, Shri Vijay Kumar
 Zainal Abedin, Shri

NOES

Ahmed, Shri Kamaluddin
 Ankineedu Prasad Rao, Shri P.
 Anuragi, Shri Godil Prasad
 Appalanaidu, Shri S. R. A. S.
 Arakal, Shri Xavier
 Azad, Shri Bhagwat Jha
 Baitha, Shri D. L.
 Bijpai, Dr. Rajendra Kumari
 Baleshwar Ram, Shri
 Bansi Lal, Shri
 Barot, Shri Maganbhai
 Barway, Shri J. C.
 Bhagwan Dev, Acharya
 Bhakta, Shri Manoranjan
 Bhardwaj, Shri Parasram
 Bhatia, Shri R. L.
 Bhoi, Dr. Krepasindhu
 Bhuria, Shri Dileep Singh
 Brijendra Pal Singh, Shri
 Buta Singh, Shri
 Chakradhari Singh, Shri

Chandra Shekhar Singh, Shri
 Chandrashekarappa, Shri T. V.
 Chaturvedi, Shrimati Vidyawati
 Chaudhary, Shri Manphool Singh
 Chavan, Shri S. B.
 Chennupati, Shrimati Vidya
 Dalbir Singh, Shri
 Das, Shri A. C.
 Dennis, Shri N.
 Dev, Shri Sontosh Mohan
 Dhandapani, Shri C. T.
 Era Anbarasu, Shri
 Gadgil, Shri V. N.
 Gadhavi, Shri Bheravadan K.
 Gaikwad, Shri Udaysingrao
 Gamit, Shri Chhitubhai
 Gandhi, Shri Rajiv
 Gehlot, Shri Ashok
 Ghufra, Azam, Shri
 Gireraj Singh, Shri
 Gomango, Shri Giridhar
 Gounder, Shri A. Senapathi
 Gowda, Shri D. M. Putte
 Gulsher Ahmed, Shri
 Jadeja, Shri Daulatsinhji
 Jain, Shri Nihal Singh
 Jain, Shri Virdhi Chander
 Jamilur Rahman, Shri
 Jena, Sri Chintamani
 Jha, Shri Kamal Nath
 Kamla Kumari, Kumari
 Karma, Shri Laxman
 Keyur Bhusan, Shri
 Kidwat, Shrimati Mohsina
 Krishna, Shri S. M.
 Krishna Pratap Singh, Shri
 Kuchan, Shri Gangadhar S.
 Kunwar Ram, Shri
 Kusuma Krishna Murthy, Shri
 Lakkappa, Shri K.
 Madhuri Singh, Shrimati
 Mahajan, Shri Vikram
 Mahendra Prasad, Shri
 Makwana, Shri Narsinh

Mallick, Shri Lakshman
 Mallikarjun, Shri
 Mallu, Shri Anantha Ramulu.
 Meena, Shri Ram Kumar
 Mehta, Dr. Mahipatray M.
 Mishra, Shri Ram Nagina
 Mishra, Shri Uma Kant
 Misra, Shri Harinatha
 Misra, Shri Nityananda
 Mohanty, Shri Brajamohan
 Mohite, Shri Yashwantrao
 More, Shri Ramkrishna
 Motilal Singh, Shri
 Murthy, Shri M. V. Chandrashekhara
 Murugian, Shri S.
 Muthu Kumaran, Shri R.
 Muttemwar, Shri Vilas
 Nagina Rai, Shri
 Naikar, Shri D. K.
 Nair, Shri B. K.
 Namgyal, Shri P.
 Nikhra, Shri Rameshwar
 Oraon, Shri Kartik
 Panday, Shri Kedar
 Pandey, Shri Krishna Chandra
 Panigrahi, Shri Chintamani
 Parashar, Prof. Narain Chand
 Pardhi, Shri Keshorao
 Parthasarthy, Shri P.
 Patel, Shri Shantubhai
 Patel, Shri Uttambhai H.
 Patil, Shri A. T.
 Patil, Shri Shivraj V.
 Patil, Shri Uttamrao
 Patil, Shri Veerendra
 Patil, Shri Vijay N.
 Patnaik, Shrimati Jayanti
 Pattabi Rama Rao, Sri S. B. P.
 Pilot, Shri Rajesh
 Poojary, Shri Janardhana
 Prasan Kumar, Shri S. N.
 Pushpa Devi Singh, Kumari
 Quadri, Shri S. T.

Rahim, Shri A. A.
 Raju, Shri P. V. G.
 Ram, Shri Ramswaroop
 Ramamurthy, Shri K.
 Ran Vir Singh, Shri
 Rane, Shrimati Sanyogita
 Rao, Shrimati B. Radhabai Ananda
 Rao, Shri M. S. Sanjeevi
 Raut, Shri Bhola
 Ravani, Shri Navin
 Reddi, Shri G. S.
 Reddy, Shri K. Obul
 Reddy, Shri M. Ram Gopal
 Reddy, Shri P. Venkata
 Saminuddin, Shri
 Sangma, Shri P. A.
 Satish Prasad Singh, Shri
 Satya Deo Singh, Prof.
 Sawant, Shri T. M.
 Sebastian, Shri S. A. Dorai
 Sethi, Shri Arjun
 Shaktawat, Prof. Nirmala Kumari
 Shankaranand, Shri B.
 Shanmugam, Shri P.
 Sharma, Shri Kali Charan
 Sharma, Shri Nand Kishore
 Sharma, Shri Nawal Kishore
 Shastri, Shri Dharam Dass
 Shiv Shankar, Shri P.
 Shivendra Bahadur Singh, Shri
 Shukla, Shri Vidya Charan
 Sidnal, Shri S. B.
 Singh, Dr. B. N.
 Singh Deo, Shri K. P.
 Sinha, Shrimati Ramdulari
 Soren, Shri Hari Har
 Sparrow, Shri R. S.
 Sreenivasa Prasad, Shri V.
 Sukhadia, Shri Mohan Lal
 Sultanpuri, Shri Krishan Dutt
 Sunder Singh, Shri
 Swami, Shri K. A.
 Tariq Anwar, Shri
 Tayyab Hussain, Shri

Tewary, Prof. K. K.
Thorat, Shri Bhausaheb
Tiwari, Shri Narayan Datt
Tytler, Shri Jagdish
Vairale, Shri Madhusudan
Varma, Shri Jai Ram
Venkatasubbaiah, Shri P.
Vijayaraghavan, Shri V. S.
Virbhadr Singh, Shri
Vyas, Shri Girdhari Lal
Wagh, Dr. Pratap
Wasnik, Shri Balkrishna Ramchandra
Yadav, Sri Ram Singh
Yusuf, Shri Mohmed
Zail Singh, Shri
Zainul Basher, Shri

MR. DEPUTY-SPEAKER: Subject to correction, the result* of the Division is: Ayes: 53; Noes: 168.

The Motion was negatived.

MR. DEPUTY-SPEAKER: Now, we come to Clause No. 10. Mr. Chitta Basu. I think you are not able to get up! Are you tired?

Clause 10—(Power to arrest without warrant)

SHRI CHITTA BASU: I beg to move:

Page 5, line 40,—

omit "without warrant" (20)

Page 5, line 41,—

omit "who is reasonably suspected of" (21)

SHRI M. RAMANNA RAI: I beg to move:

Page 5, line 40,—

for "any police offer" substitute—

"no police officer below the rank of Deputy Superintendent of Police" (26)

SHRI MUKUNDA MANDAL: I beg to move:

Page 5, line 40,—

for "without warrant" substitute—

"subject to issue of warrant" (64)

PROF. RUP CHAND PAL: I beg to move:

Page 5, line 40,—

after "any police officer" insert—

"not below the rank of Superintendent of Police". (104)

Page 5, line 40,—

omit "without warrant" (105)

SHRI KRISHNA CHANDRA HALDER: I beg to move:

Page 5, lines 40 to 42,—

for "arrest without warrant any person who is reasonably suspected of having committed any offence under this Act."

substitute "not arrest a person without any valid ground" (118)

SHRI SATYANARAYAN JATIYA: I beg to move:

Page 5, line 40,—

for "without warrant" substitute "with warrant" (130)

SHRI BASUDEB ACHARIYA: I beg to move:

Page 5, line 40,—

after "police officer" insert—

"not below the rank of Superintendent" (141)

*The following Members also recorded their votes:

AYES: Sarvshri A. K. Roy, A. K. Balan and Ajit Bag;

NOES: Sarvshri Arvind Netam, Ramayan Rai and Ghulam Nabi Azad.

SHRI AJOY BISWAS: I beg to move:

Page 5,—

for clause 10, substitute—

"10. The offence under this Act shall be non-cognisable." (170)

Page 5, lines 40 to 42,—

for "without warrant any person who is reasonably suspected of having committed any offence under this Act."

substitute—

"only under a warrant issued by a Magistrate, having jurisdiction in the matter, and person who is *prima facie* guilty of having committed any offence under this Act." (171)

SHRI GADADHAR SAHA (Birbhum): I beg to move:

Page 5, lines 40 to 42,—

for "without warrant any person who is reasonably suspected of having committed any offence under the Act" (197)

substitute "only under a warrant issued by a Magistrate, having jurisdiction in the matter, any person who is *prima facie* guilty of having committed any offence under the Act." (197)

SHRI SUDHIR GIRI: I beg to move:

Page 5, line 40,—

for "may" substitute "shall not" (217)

SHRI SAMAR MUKHERJEE: I beg to move:

Page 5, lines 40 to 42,—

for "without warrant any person who is reasonably suspected of having committed any offence under this Act."

Substitute—"only under a warrant issued by a Magistrate having jurisdiction in the matter, any person who is *prima facie* guilty of having committed any offence under this Act." (277)

SHRI AMAR ROY PRADHAN: I beg to move:

Page 5, line 40,—

for "any police officer" substitute—

"no police officer below the rank of Superintendent of Police" (292)

SHRI SATYAGOPAL MISRA: I beg to move:

Page 5, lines 40 to 42,—

for "any police officer may arrest without warrant any person who is reasonably suspected of having committed any offence under this Act."

substitute—"under this Act any police officer may arrest any person with specific complaints and must produce him before any Magistrate immediately." (318).

SHRI K. P. UNNIKRISHNAN (Bada-gara): I beg to move:

Page 5, line 40,—

for "any police officer" substitute—

"no police officer below the rank of a District Superintendent of Police." (332)

SHRI RAVINDRA VARMA (Bom-bay North): I beg to move:

Page 5,—

for clause 10 substitute—

"10. No court shall take cognisance of any offence punishable under this Act or of the abetment of any such offence, save on complaint made by or under the authority of the appropriate Government." (355)

SHRI INDRAJIT GUPTA: I beg to move:

Page 5, line 40,—

after "police officer" insert—

"not below the rank of Deputy Superintendent of police" (377)

Page 5, line 40,—

omit "without warrant" (378)

SHRI A. K. ROY: I beg to move:

Page 5, line 42,—

add at the end—

"as specified under section 8 and section 9" (400)

SHRI VIJAY KUMAR YADAV:—

Page 5, line 41,—

for "is reasonably suspected of having"

substitute "has" (472)

SHRI AJOY BISWAS: I beg to move:

Page 5, line 40,—

after "any police officer" insert—

"not below the rank of Sub-Inspector" (500)

Page 5, lines 40 to 42,—

for "without a warrant any person who is reasonably suspected of having committed any offence under this Act."

substitute—"with warrant any person with specific charges and should produce him immediately before any 1st Class Magistrate." (501)

SHRI CHITTA BASU: Clause 10, again if you permit me to use the mildest word, is a pernicious one. You know that there is a procedural framework

for trial or for arresting. Here the Government wants that excessive power to arrest anybody even without issuing a warrant. Any policeman can arrest anybody he likes. It is not merely on the basis of evidence or but merely on the basis of suspicion, any policeman can arrest anybody without warrant. That means excessive delegation of power to the police. I think you agree with me that there has been excessive delegation of power. Therefore, I want the words "without warrant" and the words "who is reasonably suspected of" to be omitted.

SHRI M. RAMANNA RAI: In the Bill, the term "police officer" is not defined. It says that any police officer may arrest without warrant. In my amendment I have suggested that no police officer below the rank of Deputy Superintendent of Police should be given this power. Otherwise, from an ordinary constable to the I.G.P. any police officer can arrest without warrant and that will be very bad. Hence my amendment.

(Interruptions)

MR. DEPUTY-SPEAKER: Don't record anything.

(Interruptions) *

SHRI MUKUNDA MANDAL: Sir, clause 9 has not been passed.

MR. DEPUTY-SPEAKER: Clause 9 has been passed.

SHRI MUKUNDA MANDAL: Clause 10 provides the power to arrest without warrant. If the warrant is not issued, the person who is going to be arrested will not know the reasons for his arrest. He should know the reason for his arrest. The clause also says that any police officer may arrest somebody on suspicion. So my amendment is that instead of "without warrant" the words "subject to issue of warrant" may be substituted, so that the reasons may be known to

(Shri Mukunda Mandal)

the man who is going to be arrested.
1.00 hrs.

PROF. RUP CHAND PAL: In this very House on many occasions we have discussed the role of the Police, who are still now having a colonial legacy and who are anti-people. There is too much of delegation of power to the Police. My amendment is that after any police officer, it should be added 'not below the rank of Superintendent of Police.'

We claim ourselves to be the largest democracy. Even a murderer is given the opportunity for self-defence. But a worker who is doing something for a just cause, is being punished by arrest without warrant. At least, at this late hour, let the Home Minister withdraw this and accept my amendment.

SHRI KRISHNA CHANDRA HALDER: My amendment is that after the words 'under this Act', substitute 'not arrest a person without any valid ground'. This Government is a murderer and destroyer of democracy. The Cong. (I) Government at the Centre has thrown the flag of democracy in dust. We the opposition, especially the left parties have picked up the flag of democracy from the dust and are carrying it on our shoulders. We will be fighting for democracy till we are able to hoist the flag of democracy on the top of Red Fort. I request them not to murder democracy. I request the Home Minister to accept my amendment and save democracy. You are not a democrat at all.

श्री सत्य नारायण षडिवा : उपाध्यक्ष महोदय, मैं ने अपने संशोधन नं. 131 में बिना वारंट के स्थान पर वारंट सहित किया जाय, यह कहा है। बिना वारंट के कोई भी किसी को सोते में, जागते में, सुशी या गमी के माँके पर गिरफ्तार में ले ले, उसे गिरफ्तार कर ले कोई उचित बात नहीं होगी। इसलिए इस बात को गंभीरता को समझना चाहिए। कोई भी पुलिस अधिकारी किसी भी माँके पर किसी भी जादमी

को गिरफ्तार कर ले यह बहुत ही जुल्म और ज्यादाती होगी। इसलिए मेरा कहना है कि कम से कम उसने क्या अपराध किया है इसकी सूचना दिए बिना कोई भी किसी को गिरफ्तार न करे, यह मेरा जमौंडमेंट है।

SHRI AJOY BISWAS: It is a serious thing that any police officer can arrest a worker without a warrant. This cannot be made a general rule. My amendment is that the person may be arrested only under a warrant issued by a Magistrate, having jurisdiction in the matter, and person who is *prima facie* guilty of having committed any offence under this Act.

SHRI BASUDEB ACHARIA: In clause 10 excessive powers have been given to the Police. Any police constable can arrest a worker without a warrant. My amendment is that police officer not below the rank of Superintendent can arrest a worker. The words 'without warrant' should be deleted.

SHRI GADADHAR SAHA (Birbhum): This provision is more repressive. Any person participating in strikes or aiding, supporting it can be arrested without any warrant, without evidence on mere suspicion and on ground also that participations in strikes is a cognisable offence under this Act. Participation in the strike is a lawful right and a basic right. Let the provision be non-cognizable and the person shall be tried by an ordinary court and not by summary trial.

SHRI SUDHIR GIRI: Now unlimited power has been vested in the police officers. Our experience shows that some of these police officers have misused the powers. So, such unlimited power should not be given at any time to the police officer.

Secondly, the police officers have been given power to arrest even without a warrant. So, a person who is arrested will not be furnished any reason. I demand, I urge upon the Government that whenever any police officer is being instructed or given power to arrest a person, he must give the reason to the person arrested..

SHRI AMAR ROY PRADHAN: Though I have no hope of my amendment being accepted, I want to do my duty. I have very miserable experience about the police. Under the Bill as it is worded, even a police constable can arrest a worker on mere suspicion and it will create havoc. So, in order to avoid that havoc I would request the hon. Minister to accept my amendment which seeks to substitute "police officer" by the words "no police officer below the rank of Superintendent of Police".

SHRI SATYAGOPAL MISRA: No police officer should be given so much power that he can arrest anybody without any warrant. Such a type of law can exist only in the jungle and not in a civilised country. And this arrest can be made on mere suspicion. It should not be allowed to be passed as it is.

SHRI A. K. ROY: It is the tradition in the country that police always remain extra polite to the employer and extra stringent to the workmen. That is why I do not object to giving more power to the police officer; whether he is an Inspector or a Superintendent. I am not very touchy about it. But I say that power should be utilized against those persons who are reasonably suspected of having committed any offence under this Act, as specified in clauses 8 and 9. This power of the police should be used only for offences that are specified in clauses 8 and 9. It should be restricted to these two clauses and the persons involved in that. So, my amendment could be easily accepted.

श्री विजय कमार यादव : उपाध्यक्ष महोदय, मैंने भी यहाँ संशोधन दिया है कि

यह जो रीजनबल सस्पिशन के आधार पर गिरफ्तार करने की बात की गई है और गिरफ्तार करने का भी अधिकार पुलिस को बिना वारंट के दिया गया है और रीजन भी उसी से उम्मीद की जाती है जो आज तक अनरीजनबल होते रहा है। यह जो दो पावर दी जा रही है इसका सिवाय मिस-यूज के और कोई बात नहीं होगी। इसलिए यह जो संदेह पर गिरफ्तार करने की बात कही गई है इसको ऑमित करने का अमेंडमेंट मैंने दिया है।

श्री जलसिंह : उपाध्यक्ष महोदय, अन-रबल मेम्बर साहबान ने बहुत अमूल्य विचार दिए और मैंने उनका बहुत गौर से सुना और विचारा भी, लेकिन मेरी मजबूरी यह है कि इस बिल की कोई चमक-दमक नहीं रहेगी अगर इन पुरजों को उसमें डाल दिया जाय। ये गाड़ी हराव कर दंगे क्योंकि ये उस में फिट इन नहीं करते। इसलिए मैं उन को परवान नहीं कर सकता। एक अनरीबल मेम्बर तो बहुत गुस्से में आ गये। मैंने एक दफा पहले भी प्रार्थना की थी और आज भी करता हूँ— गुस्सा और अकल का एक ही खाना होता है, अकल रहे तो गुस्सा नहीं जाता, गुस्सा आ जाय तो अकल नहीं रहती। वह इतने गुस्से में थे कि उन्होंने हमको कहा— गवर्नमेन्ट डेमोक्रेसी की हत्या कर रही है। यह उनके समझने की बात है। गवर्नमेन्ट डेमोक्रेसी की घातक नहीं है, डेमोक्रेसी के सुनहरे उसूलों का स्वप्न करने वाले लोगों की घातक है। इसलिए आपको यह बात ध्यान में रख कर आगे से बात करनी चाहिये।

MR. DEPUTY-SPEAKER: I shall not put all the amendments to clause 10 to the vote of the House. The question is:

Page 5, line 40,—

omit "without warrant" (20)

Page 5, line 41,—

omit "who is reasonably suspected of" (21).

Page 5, line 40,—

for "any police officer" substitute—

[Mr. Deputy-Speaker]

"no police officer below the rank of Deputy Superintendent of Police" (26).

Page 5, line 40,—

for "without warrant" substitute—
"subject to issue of warrant" (64).

Page 5, line 40,—

after "any police officer" insert—
"not below the rank of Superintendent of police". (104).

Page 5, line 40,—

omit "without warrant" (105).

Page 5, lines 40 to 42,—

for "arrest without warrant any person who is reasonably suspected of having committed any offence under this Act."

substitute "not arrest a person without any valid ground" (118)

Page 5, line 40,—

for "without warrant" substitute
"with warrant" (130).

Page 5, line 40,—

after "police officer" insert—
"not below the rank of Superintendent" (141).

Page 5,—

for clause 10, substitute— "10. The offence under this Act shall be non-cognisable." (170)

Page 5, lines 40 to 42,—

for "without warrant any person who is reasonably suspected of having committed any offence under this Act".

substitute "only under a warrant issued by a Magistrate, having jurisdiction in the matter, any person who is *prima facie* guilty of having committed any offence under the Act." (171)

Page 5, lines 40 to 42,—

for "without warrant any person who is reasonably suspected of having committed any offence under this Act."

Substitute—"only under a warrant issued by a Magistrate having jurisdiction in the matter, any person

who is *prima facie* guilty of having committed any offence under this Act." (197)

Page 5, line 40,—

for "may" substitute "shall not" (217).

Page 5, lines 40 to 42,—

for without warrant any person who is reasonably suspected of having committed any offence under this Act."

substitute—

"only under a warrant issued by a Magistrate having jurisdiction in the matter, any person who is *prima facie* guilty of having committed any offence under this Act." (277)

Page 5, line 40,—

for "any police officer" substitute—
"no police officer below the rank of Superintendent of Police" (292)

Page 5, lines 40 to 42,—

for "any police officer may arrest without warrant any person who is reasonably suspected of having committed any offence under this Act."

substitute—

"under this Act any police officer may arrest any person with specific complaints and must produce him before any Magistrate immediately." (318)

Page 5, line 40,—

for "any police officer" substitute—

"no police officer below the rank of a District Superintendent of Police". (332).

Page 5,—

for clause 10 substitute—

"10. No court shall take cognisance of any offence punishable under this Act or of the abetment of any such offence, save on complaint made by or under the authority of the appropriate Government." (355).

Page 5, line 40,—

after "police officer" insert—

"not below the rank of Deputy Superintendent of Police" (377).

Page 5, line 40,—

omit "without warrant" (378).

Page 5, line 42,—

add at the end—

"as specified under section 8 and section 9" (400).

Page 5, line 41,—

for "is reasonably suspected of having" substitute "has" (472)

Page 5, line 40.—

after "any police officer" insert—

"not below the rank of sub-Inspector" (500).

Page 5, lines 40 to 42,—

for "without a warrant any person who is reasonably suspected of having committed any offence under his Act".

substitute—"with warrant any person with specific charges and should produce him immediately before any 1st Class Magistrate." (501).

The Lok Sabha divided:

Division No. 30]

[01.15 hrs.

AYES

Acharia, Shri Basudeb
Balanandan, Shri E.
Barman, Shri Palas
Basu, Shri Chitta
Bhattacharyya, Shri Sushil
Biswas, Shri Ajoy
Chakraborty, Shri Satyasadhan
Chatterjee, Shri Somnath
Chaudhuri, Shri Tridib
Choudhury, Shri Saifuddin
Das, Shri R. P.
Ghosh, Shri Niren
Giri, Shri Sudhir
Gopalan, Shrimati Suseela
Gupta, Shri Indrajit

Halder, Shri Krishna Chandra
Hannan Mollah, Shri
Imbichibava, Shri E. K.
Jatiya, Shri Satyanarayan
Jha, Shri Bhogendra
Kodiyar, Shri P. K.
Lawrence, Shri M. M.
Mahata, Shri Chitta
Maitra, Shri Sunil
Mandal, Shri Mukunda
Mandal, Shri Sanat Kumar
Masudal Hossain, Shri Syed
Mhalgi, Shri R. K.
Misra, Shri Satyagopal
Modak, Shri Bijoy
Mohammed Ismail, Shri
Mukherjee, Shrimati Geeta
Mukherjee, Shri Samar
Pal, Prof. Rup Chand
Parulekar, Shri Bapusaheb
Pathak, Shri Ananda
Rai, Shri M. Ramanna
Rajan, Shri K. A.
Rajda, Shri Ratansinh
Riyan, Shri Baju Ban
Roy, Dr. Saradish
Roy, Pradhan, Shri Amar
Saha, Shri Ajit Kumar
Saha, Shri Gadadhar
Sen, Shri Subodh
Shastri, Shri Ramavatar
Shejwalka, Shri N. K.
Suraj Bhan, Shri
Surya Narayan Singh, Shri
Turkey, Shri Pius
Unnikrishnan, Shri K. P.
Varma, Shri Ravindra
Yadav, Shri Vijay Kumar
Zainal Abedin, Shri

NOES

Ahmed, Shri Kamatuddin
Ankineedu Prasad Rao, Shri P.

Anuragi, Shri Godil Prasad
 Appalanaidu, Shri S. R. A. S.
 Arakal, Shri Xavier
 Azad, Shri Bhagwat Jha
 Azad, Shri Ghulam Nabi
 Baitha, Shri D. L.
 Bajpai, Dr. Rajendra Kumari
 Baleshwar Ram, Shri
 Bansilal, Shri
 Barot, Shri Maganbhai
 Barway, Shri J. C.
 Bhagwan Dev, Acharya
 Bhakta, Shri Manoranjan
 Bhardwaj, Shri Parasram
 Bhatia, Shri R. L.
 Bhoi, Dr. Krupasindhu
 Bhuria, Shri Dileep Singh
 Brijendra Pal Singh, Shri
 Chakradhari Singh, Shri
 Chandra Shekhar Singh, Shri
 Chandrashekharaappa, Shri T. V.
 Chaturvedi, Shrimati Vidyawati
 Chaudhary, Shri Manphool Singh
 Chavan, Shri S. B.
 Chennupati, Shrimati Vidya
 Dalbir Singh, Shri
 Das, Shri A. C.
 Dennis, Shri N.
 Dev, Shri Sontosh Mohan
 Dhandapani, Shri C. T.
 Dhote, Shri Jambuwant
 Era, Anbarasu, Shri
 Fernandes, Shri Oscar
 Gadgil, Shri V. N.
 Gadhavi, Shri Bheravadan K.
 Gaikwad, Shri Udaysingrao
 Gamit, Shri Chhitubhai
 Gandhi, Shri Rajiv
 Gehlot, Shri Ashok
 Ghufan Azam, Shri
 Gireraj Singh, Shri
 Gomango, Shri Giridhar
 Gounder, Shri A. Senapathi

Gowda, Shri D. M. Putte
 Gulsher Ahmed, Shri
 *Hasda, Shri Matilal
 Jadeja, Shri Daulatsinhji
 Jain, Shri Nihal Singh
 Jain, Shri Virdhi Chander
 Jamilur Rahman, Shri
 Jena, Shri Chintamani
 Jha, Shri Kamal Nath
 Karma, Shri Laxman
 Keyur Bhusan, Shri
 Kidwai, Shrimati Mohsina
 Krishna, Shri S. M.
 Krishna Pratap Singh, Shri
 Kuchan, Shri Gangadhar S.
 Kunwar Ram, Shri
 Kusuma Krishna Murthy, Shri
 Lakkappa, Shri K.
 Madhuri Singh, Shrimati
 Mahajan, Shri Vikram
 Mahendra Prasad, Shri
 Makwana, Shri Narsinh
 Mallick, Shri Lakshman
 Mallikarjun, Shri
 Mallu, Shri Anantha Ramulu
 Meena, Shri Ram Kumar
 Mehta, Dr. Mahipatray M.
 Mishra, Shri Ram Nagina
 Mishra, Shri Uma Kant
 Misra, Shri Harinatha
 Misra, Shri Nityananda
 Mohanty, Shri Brajamohan
 Mohite, Shri Yashawantrao
 More, Shri Ramkrishna
 Motilal Singh, Shri
 Murthy, Shri M. V. Chandrashekhara
 Murugian, Shri S.
 Muthu Kumaran, Shri R.
 Muttemwar, Shri Vilas
 Nagina Rai, Shri
 Naikar, Shri D. K.
 Nair, Shri B. K.
 Namgyal, Shri P

*Wrongly voted for NOES.

Netam, Shri Arvind
 Nikhra, Shri Rameshwar
 Oraon, Shri Kartik
 Panday, Shri Kedar
 Pandey, Shri Krishna Chandra
 Panigrahi, Shri Chintamani
 Parashar, Prof. Narain Chand
 Pardhi, Shri Kesharao
 Parthasarathy, Shri P.
 Patel, Shri Shantubhai
 Patel, Shri Uttambhai H.
 Patil, Shri A. T.
 Patil, Shri Shivraj V.
 Patil, Shri Uttamrao
 Patil, Shri Vijay N.
 Patnaik, Shrimati Jayanti
 Pattabhi Rama Rao, Shri S. B. P.
 Pilot, Shri Rajesh
 Poojary, Shri Janaradhana
 Potdukhe, Shri Shantaram
 Pushpa Devi Singh, Kumari
 Quadri, Shri S. T.
 Rahim, Shri A. A.
 Raju, Shri P. V. G.
 Ram, Shri Ramswaroop
 Ramamurthy, Shri K.
 Ran Vir Singh, Shri
 Rane, Shrimati Sanyogita
 Rao, Shrimati B. Radhabai Ananda
 Rao, Shri M. S. Sanjeevi
 Raut, Shri Bhola
 Ravani, Shri Navin
 Reddi, Shri G. S.
 Reddy, Shri K. Obul
 Reddy, Shri M. Ram Gopal
 Reddy, Shri P. Venkata
 Saminuddin, Shri
 Sangma, Shri P. A.

Satish Prasad Singh, Shri
 Satya Deo Singh, Prof.
 Sawant, Shri T. M.
 Sebastain, Shri S. A. Dorai
 Sethi, Shri Arjun
 Shaktawat, Prof. Nirmala Kumari
 Shankaranand, Shri B.
 Shanmugam, Shri P.
 Sharma, Shri Kali Charan
 Sharma, Shri Nand Kishore
 Sharma, Shri Nawal Kishore
 Shastri, Shri Dharam Dass
 Shiv Shankar, Shri P.
 Shivendra Bahadur Singh, Shri
 Shukla, Shri Vidya Charan
 Sidnal, Shri S. B.
 Singh, Dr. B. N.
 Singh Deo, Shri K. P.
 Sinha, Shrimati Ramdulari
 Soren, Shri Hari Har
 Sparrow, Shri R. S.
 Sreenivasa Prasad, Shri V.
 Sukhadia, Shri Mohan Lal
 Sultanpuri, Shri Krishan Dutt
 Sunder Singh, Shri
 Swami, Shri K. A.
 Tariq Anwar, Shri
 Tewary, Prof. K. K.
 Thorat, Shri Bhausaheb
 Trivari, Shri Narayan Datt
 Tytler, Shri Jagdish
 Vairale, Shri Madhusudan
 Varma, Shri Jai Ram
 Venkatasubbaiah, Shri P.
 Vijayaraghavan, Shri V. S.
 Virbhadra Singh, Shri
 Vyas, Shri Girdhari Lal
 Wagh, Dr. Pratap

** (1) The following Members also recorded their votes:

AYES: Sarvshri A. K. Roy, A. K. Balan, Ajit Bag and Matilal Hasda;

NOES: Shri Ramayan Rai

(2) The result of this division applies to all the amendments to clause 10 separately.

Wasnik, Shri Balkrishna Ramchandra
Yusuf, Shri Mohmed
Zail Singh, Shri

MR. DEPUTY-SPEAKER: Subject
to correction the result of the
division is: Ayes 54, Noes 167

The motion was negatived.

MR. DEPUTY-SPEAKER: The ques-
tion is:

"That clause 10 stand part of the
Bill."

The Lok Sabha divided:

Division No. 31] [01.21 hrs.

AYES

Ahmed, Shri Kamaluddin
Ankineedu Prasad Rao, Shri P.
Anuragi, Shri Godil Prasad
Appalanaidu, Shri S. R. A. S.
Arakal, Shri Xavier
Azad, Shri Bhagwat Jha
Azad, Shri Ghulam Nabi
Baitha, Shri D. L.
Bajpai, Dr. Rajendra Kumari
Baleshwar Ram, Shri
Bansi Lal, Shri
Barot, Shri Maganbhai
Barway, Shri J. C.
Bhagwan Dev, Acharya
Bhakta, Shri Manoranjan
Bhardwaj, Shri Parasram
Bhoi, Dr. Krupasindhu
Bhuria, Shri Dileep Singh
Birender Singh, Rao
Brijendra Pal Singh, Shri
Chakradhari Singh, Shri
Chandra Shekhar Singh, Shri
Chandrashekharaappa, Shri T. V.
Chaturvedi, Shrimati Vidyawati
Chaudhary, Shri Manphool Singh
Chavan, Shri S. B.
Chennupati, Shrimati Vidya

Dalbir Singh, Shri
Das, Shri A. C.
Dennis, Shri N.
Dev, Shri Sontosh Mohan
Dhandapani, Shri C. T.
Dhote, Shri Jambuwant
Era Anbarasu, Shri
Fernandes, Shri Oscar
Gadgil, Shri V. N.
Gadhavi, Shri Bheravadan K.
Gaikwad, Shri Udaysingrao
Gamit, Shri Chhitubhai
Gandhi, Shri Rajiv
Gehlot, Shri Ashok
Ghufran Azam, Shri
Gireraaj Singh, Shri
Gomango, Shri Giridhar
Gounder, Shri A. Senapathi
Gowda, Shri D. M. Putte
Jadeja, Shri Daulatsinhji
Jain, Shri Nihal Singh
Jain, Shri Virdhi Chander
Jamilur Rahman, Shri
Jena, Shri Chintamani
Jha, Shri Kamal Nath
Karma, Shri Laxman
Keyur Bhusan, Shri
Kidwai, Shrimati Mohsina
Krishna, Shri S. M.
Krishna Pratap Singh, Shri
Kuchan, Shri Gangadhar S.
Kunwar Ram, Shri
Kusuma Krishna Murthy, Shri
Lakkappa, Shri K.
Madhuri Singh, Shrimati
Mahajan, Shri Vikram
Mahendra Prasad, Shri
Makwana, Shri Narsinh
Mallick, Shri Lakshman
Mallikarjun, Shri
Malu, Shri Anantha Ramulu
Meena, Shri Ram Kumar

Mehta, Dr. Mahipatray M
Mishra, Shri Ram Nagina
Mishra, Shri Umakant
Misra, Shri Harinatha
Misra, Shri Nityananda
Mohanty, Shri Brajamohan
Mohite, Shri Yashwantrao
More, Shri Ramkrishna
Motilal Singh, Shri
Murthy, Shri M. V. Chandrashekhara
Murugian, Shri S.
Muthu Kumaran, Shri R.
Muttamwar, Shri Vilas
Nagina Rai, Shri
Naikar, Shri D. K.
Nair, Shri B. K.
Namgyal, Shri P.
Netam, Shri Arvind
Nikhra, Shri Rameshwar
Oraon, Shri Kartik
Panday, Shri Kedar
Pandey, Shri Krishna Chandra
Panigrahi, Shri Chintamani
Parashar, Prof. Narain Chand
Patil, Shri Uttamrao
Parthasarathy, Shri P.
Patel, Shri Shantubhai
Patel, Shri Uttambhai H.
Patil, Shri A. T.
Patil, Shri Shivraj V.
Patil, Shri Uttarmao
Patil, Shri Vijay N.
Patnaik, Shrimati Jayanti
Pattabhi Rama Rao, Shri S. B. P.
Pilot, Shri Rajesh
Poojary, Shri Janardhana
Potdukhe, Shri Shantaram
Pushpa Devi Singh, Kumari
Quadri, Shri S. T.
Rahim, Shri A. A.
Raju, Shri P. V. G.
Ram, Shri Ramswaroop
Ramamurthy, Shri K.

Ran Vir Singh, Shri
Rane, Shrimati Sanyogita
Rao, Shrimati B. Radhabai Ananda
Rao, Shri M. S. Sanjeevi
Raut, Shri Bhola
Ravani, Shri Navin
Reddi, Shri G. S.
Reddy, Shri K. Obul
Reddy, Shri M. Ram Gopal
Reddy, Shri P. Venkata
Sangma, Shri P. A.
Satish Prasad Singh, Shri
Satya Deo Singh Prof.
Sawant, Shri T. M.
Sebastian, Shri S. A. Dorai
Sethi, Shri Arjun
Shaktawat, Prof. Nirmala Kumari
Shankaranand, Shri B.
Shanmugam, Shri P.
Sharma, Shri Kali Charan
Sharma, Shri Nand Kishore
Sharma, Shri Nawal Kishore
Shastri, Shri Dharam Dass
Shiv Shankar, Shri P.
Shivendra Bahadur Singh, Shri
Shukla, Shri Vidya Charan
Sidnal, Shri S. B.
Singh, Dr. B. N.
Singh Deo, Shri K. P.
Sinha, Shrimati Ramdulari
Sparrow, Shri R. S.
Sreenivasa Prasad, Shri V.
Sukhadia, Shri Mohan Lal
Sultanpuri, Shri Krishan Dutt
Swami, Shri K. A.
Tariq Anwar, Shri
Tewary, Prof. K. K.
Thorat, Shri Bhausaheb
Tiwari, Shri Narayan Datt
Tytler, Shri Jagdish
Vairale, Shri Madhusudan
Varma, Shri Jai Ram
Venkataraman, Shri R.
Vijayaraghavan, Shri V. S.
Virbhadra Singh, Shri
Vyasa, Shri Girdhari Lal
Wagh, Dr. Pratap

Wasnik, Shri Balkrishna Ramchandra
Yusuf, Shri Mohmed
Zail Singh, Shri

NOES

Acharia, Shri Basudeb
Balan, Shri A. K.
Balanandan, Shri E.
Barman, Shri Palas
Basu, Shri Chitta
Bhattacharyya, Shri Sushil
Biswas, Shri Ajoy
Chakraborty, Shri Satyasadhan
Chatterjee, Shri Somnath
Chaudhuri, Shri Tridib
Choudhury, Shri Saifuddin
Das, Shri R. P.
Ghosh, Shri Niren
Giri, Shri Sudhir
Gopalan, Shrimati Suseela
Gupta, Shri Indrajit
Halder, Shri Krishna Chandra
Hannan Mollah, Shri
Hasda, Shri Matilal
Imbichibava, Shri E. K.
Jatiya, Shri Satyanarayan
Jha, Shri Bhogendra
Kodiyan, Shri P. K.
Lawrence, Shri M. M.
Mahata, Shri Chitta
Maitra, Shri Sunil
Mandal, Shri Mukunda
Mandal, Shri Sanat Kumar
Masudal Hossain, Shri Syed
Mhalgi, Shri R. K.
Misra, Shri Satyagopal
Modak, Shri Bijoy
Mohammed Ismail, Shri

Mukherjee, Shrimati Geeta
Mukherjee, Shri Samar
Pal, Prof. Rup Chand
Parulekar, Shri Bapusaheb
Pathak, Shri Ananda
Rai, Shri M. Ramanna
Rajan, Shri K. A.
Rajoa, Shri Ratansinh
Riyan, Shri Baju Ban
Roy, Dr. Saradish
Roy Pradhan, Shri Amar
Saha, Shri Ajit Kumar
Saha, Shri Gadadhar
Sen, Shri Subodh
Shastri, Shri Ramavatar
Shejwalkar, Shri N. K.
Suraj Bhan, Shri
Surya Narayan Singh, Shri
Tirkey, Shri Pius
Unnikrishnan, Shri K. P.
Varma, Shri Ravindra
Yadav, Shri Vijay Kumar
Zainal Abedin, Shri

MR. DEPUTY-SPEAKER: Subject to correction, the result* of the division is:

Ayes.....162

Noes.....56

The motion was adopted.

Clause 10 was added to the Bill.

MR. DEPUTY-SPEAKER: We take up Clause 11.

Clause 11—(Offences to be tried summarily)

SHRI CHITTA BASU: I beg to move:

Page 5, line 44,—

Omit "in a summary way" (22)

*The following Members also recorded their votes:

AYES: Sarvashri R. L. Bhatia, Ramayan Raj and Hari Har Soren;

NOES: Shri A. K. Roy and Ajit Bag.

SHRI M. RAMANNA RAI: I beg to move:

Page 6, line 4, —

add at the end —

"and on conviction the accused shall be entitled to prefer appeal against conviction to the next higher court and on preferring the appeal the order of conviction shall stand suspended". (27)

SHRI SUNIL MAITRA: I beg to move:

Page 5, lines 44 to 48,—

for "a summary way by any Metropolitan Magistrate, or any Judicial Magistrate of the First Class specially empowered in this behalf by the State Government and the provisions of sections 262 to 265 (both inclusive) of the said Code shall, as far as may be, apply to such trial"

substitute—

"the Sessions Court" (86)

Page 6,—

Omit lines 1 to 4. (87)

PROF. RUP CHAND PAL: I beg to move:

Page 5, lines 46 to 48,—

Omit "specially empowered in this behalf by the State Government and the provisions of sections 262 to 265 (both inclusive) of the said code shall, as far as may be, apply to such trial" (188)

SHRI SOMNATH CHATTERJEE: I beg to move:

Page 5, line 44,—

for "in a summary way" substitute—

"as a summons case" (172)

Page 5, lines 46 to 48,—

Omit "and the provisions of sections 262 to 265 (both inclusive)

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of the said Code shall, as far as may be, apply to such trial." (173)

SHRI SUDHIR GIRI: I beg to move:

Page 5, —

for lines 43 to 48, substitute—

"All offences under this Act shall be tried in accordance with the law in force".(218)

SHRI AMAR ROY PRADHAN: I beg to move:

Page 5, line 48, —

add at the end—

"and on conviction the accused shall be entitled to prefer appeal against conviction to the next higher courts and on preferring the appeal the order of conviction shall stand suspended." (293)

SHRI INDRAJIT GUPTA: I beg to move:

Page 6, line 4,—

add at the end—

"and on conviction the accused shall be entitled to appeal against such conviction to the next higher court." (379)

SHRI A. K. ROY: I beg to move:

Page 5, line 44, —

after "all offences" insert—

"under sections 8 and 9 of this Act" (401)

SHRI E. BALANANDAN:

Pages 5 and 6,—

for clause 11 substitute—

"11. Notwithstanding anything contained in this Act, all offences under this Act shall be tried under the provisions of the Code of Criminal Procedure, 1973 by a competent Judicial Magistrate of the First Class specially empowered in this behalf by the State Government." (412)

SHRI VIJAY KUMAR YADAV: I beg to move:

+ Page 6, line 1,—

Omit "summary" (474)

SHRI CHITTA BASU: Mr. Deputy-Speaker, Sir, this is another instance of pernicious nature of the Bill. This particular clause denies the workers of our country of the procedural framework which is available to other citizens.

Here, it is said that a worker shall be tried in a summary manner and all other procedures, as laid down by the CRPC are not to be taken into account. As you know, there are other anti-social elements, profiteers, black-marketeers etc. (*Interruptions*)

These anti-social elements, economic offenders also enjoy the procedural benefit. But in the case of the workers, you are denying them the right and you are denying the workers the right to defend themselves. They will have no chance of defending. Therefore, this is a very pernicious provision and I want that the words "summary way" be deleted.

SHRI M. RAMANNA RAI: It is a law capable of detaining anybody and because of that, I am moving that here as per these provisions of this law, even a Police Constable can arrest any person without warrant. Now the trial also is a summary trial. My submission is that if a Police Constable arrests without warrant and summary trial means without giving proper and necessary opportunity to the accused. So, at least some provision for appeal must be there. So, my amendment is "on conviction the accused shall be entitled to prefer appeal against conviction to the next higher court and on preferring the appeal, the order of conviction shall stand suspended".

MR. DEPUTY-SPEAKER: Shri Sunil Maitra - Absent. Shri Rup Chand Pal.

PROF. RUP CHAND PAL: Summary trial makes for the worst form of authoritarianism. In a free country all those Members elected on that side, the Ministers, the Home Minister himself, art oath bound to our Constitution, which provides certain Constitutional rights to every one.

(*Interruptions*)

This summary trial reminds of the Hitlers and the Mussolinis. So, my appeal to the Hon. Home Minister even at this late hour is: "Please don't summarily reject my amendment and accept this amendment to do away with the provision of summary trials."

01.27 hrs.

[**SHRI GULSHAN AHMED** in the Chair]

SHRI KRISHNA CHANDRA HALDER: There is summary trial. It means no warrant. It means no Vakil no appeal and no hearing. It is a Fascist measure. (*Interruptions*) So here the working people, the peasantry and the whole democratic people will fight to the last and overthrow this Government in the Indian Ocean.

SHRI SOMNATH CHATTERJEE: We are opposing this because we find that after the Rowlatt Act, even in independent India, this type of provision is being inserted in our Statute books. The statute book of this country is being polluted. This Parliament is being made party to an obnoxious piece of legislation for which, the Father of the Nation—as they always try to remind themselves at particular times and occasions only.—He had fought, the country had fought, against such a pernicious measure as the Rowlat Act, and this

Rowlat Act is providing them inspiration and they have inserted it in this Bill. Therefore, I request the hon. Home Minister—he is now awake—to consider this. At least make it a summons case and give the minimum opportunity. Arrest without warrant by a police officer on suspicion to be followed by summary trial—this is nothing but the end of the pretence of a fair trial and prosecution. I believe, the Law Minister may, for a change, give some legal advice, proper legal advice. Sir, I am requesting through you because I find that you are impressed by what I have said. Kindly use your good offices and try to impress on them that they should accept my amendment.

SHRI SUDHIR GIRI: I am totally against summary trial because we want democracy and we have been struggling hard to maintain democracy. Every one should be given at least the minimum chance of being tried under the provisions of the existing law. Why is this extraordinary provision being made? I protest against this, and to show my protest, I have brought this amendment.

SHRI AMAR ROY PRADHAN: If I say to the Home Minister that he is a fascist, he will get angry. But this summary trial provision which is included in this Bill is denying the Fundamental Rights guaranteed under the Constitution. It is only fit for jungle rule. As the External Affairs Minister knows and as the Home Minister also knows, there are some areas which are called Indian enclaves within Bangladesh, 30 sq. miles, where one lakh people are living under jungle rule; it is possible or understandable if summary trial is there. But here where we are speaking of democracy, it is not proper to have it. Therefore, even at this last moment, I would request the Home Minister to accept my amendment, namely,

Page 5, line 48,—

add at the end—

"and on conviction the accused shall be entitled to prefer appeal against conviction to the next higher courts and on preferring the appeal, the order of conviction shall stand suspended."

SHRI INDRAJIT GUPTA: I would like to draw the hon. Minister's attention, if it has not already been drawn, to a news item which has appeared in yesterday's paper—it is quite an interesting coincidence—that a very similar law providing for arrest without warrant on suspicion and then a summary trial for people who go on illegal strike, has just been introduced in all places in South Africa. Mr. Botha's regime has brought a law very similar to this, and you will have read yesterday that all the trade unions in South Africa have combined, united, in protesting against this. All I would say is that, if they want to be in such an exalted company as this racist regime of South Africa and they want to bring similar type of legislation in this great democracy, they are welcome to do, but, I think, Mr. Botha knows the difference between ILO and IMF.

But in spite of that they will do these things. But we at least should think twice before moving in such an exalted company.

SHRI A. K. ROY: Summary trial I do not mind. I mind against whom that would be applied. So I have put a very simple amendment that summary trial should be applied against the offences in the Bill which have been included in clauses 8 and 9. Only those offences and trials included in these two clauses of 8 and 9 because—what was your experience, Sir? I was told you are a good lawyer. . .

SHRI SOMNATH CHATTERJEE: He is still.

SHRI A. K. ROY: I think as a good lawyer you know in this country for a worker even Section 107 and 110 Cr.P.C. are as good as your National Security Act because they do not know how to get out of that. For the rich and the employers even though a warrant of arrest is issued they know how to take anticipatory bail and circumvent all the provisions of the rule. For them the summary trial, public trial and quick trial are the only medicine. That should be restricted only for the employers found guilty of illegal lock-out, closure, retrenchment, dismissal, etc. This is my amendment.

SHRI E. BALANANDAM: I am moving my amendment. Only I want to say that this clause intends to have summary trial. Summary trials of whom? Summary trials of those people who produce the wealth of the country? Therefore majority of the workers are going to be attacked by this clause. Therefore, I oppose it and I have moved my amendment and I request the hon. Minister to accept it.

श्री विजय कुमार यादव: सभापति महोदय, मैं भी समरी ट्रायल का विरोध कर रहा हूँ और यह कह रहा हूँ कि इसको खत्म किया जाये। समरी-ट्रायल में जो कुछ दिया गया है, उसमें अपने को डिफेंड करने का वाजिब तरीके में मौका नहीं मिलता है। हमारे कानून के अन्दर हर ऐसे व्यक्ति को जिस पर कोई इल्जाम लगाया जाता है, कानून के अन्दर उसको बचाव का अधिकार होता है। इस प्रावीजन में उस का अपहरण किया गया है, इसकी वजह से इसका मैं विरोध कर रहा हूँ और चाहता हूँ कि इसको हटाया जाये।

श्री जैल सिंह : सभापति महोदय, आनरेबल मेम्बर साहेबान ने इस बात पर चिन्ता व्यक्त की है कि समरी ट्रायल में कुछ लोगों से बेइन्साफी हो सकती है। इन बातों को मैंने बड़े गौर से सुना और विचारा और मैं यह महसूस करता हूँ कि...

एक प्राचीन सच्य : अफ्रीका वाली बात ...

श्री जैल सिंह : अफ्रीका वाली बात भी इन्द्रजीत गुप्ता जी ने बड़े अच्छे ढंग से सुनाई है, उसको भी ध्यान में रखा है।

मैं आपसे यह प्रार्थना करूँगा कि आनरेबल मेम्बरों के सुझाव हम फेंक नहीं देंगे। इस बिल के बनने के बाद, एक्ट बनने के बाद, इसके रूल्स भी बनेंगे। अगर रूल्स में ऐसे काबू न पाया जाये कि ज्यादा समरी ट्रायल का खतरा है, जब प्रीक्टिकल डिफिकल्टी आयगी और प्रीक्टिस में हम महसूस करेंगे कि लोगों के साथ न्याय नहीं हो रहा है, तो उस पर दांवारा गर कर लेंगे। मगर मैं आज आपके सुझावों को इस बिल में शामिल नहीं कर सकता।

आनरेबल मेम्बर ने कहा कि उन्हें हिटलर और मसालिनी की याद आ गई है। मैं कहता हूँ कि वे महापुरुषों को याद किया करें, वे हिटलर और मसालिनी को याद क्यों करते हैं। यह ऐसा वक्त नहीं है।

चटर्जी साहब हम पर बड़े मेहरबान हैं। उन्होंने जो कुछ कहा, हमने उसका जवाब दे दिया। लेकिन फिर भी वह कहते हैं कि जवाब नहीं मिला। इसका कोई इलाज नहीं होता है। संसार में जो सांघा हो, उसका तो जगाया जा सकता है, लेकिन जो जागता हुआ सो जाए, उसको कौन जगा सकता है? अगर वह जान-बूझ कर अपनी अकल, दिमाग और चतुरता से यह स्टेटमेंट दे दे कि कोई जवाब नहीं मिला, तो मैं कुछ नहीं कर सकता हूँ। केले के वृक्ष में पत्ते ही पत्ते होते हैं, बीच में कुछ नहीं निकलता है। कुछ बड़े अच्छे एडवांकेट होते हैं, उनकी भी यही बात होती है। जैसे केले के वृक्ष के पात पात में पात, वैसे ही श्री चटर्जी की बात बात में बात—उसमें से निकलता कुछ नहीं है। एक ही बात को हँरा-फेरी कर के दूसरे लफ्जों में फिर कह देते हैं।

आनरेबल मेम्बर ने इसको रोलट एक्ट कहा। बड़े अफसोस की बात है कि उन्होंने इतने समय आजाद रहने के बाद उसको याद किया। हम आपके भाई हैं, आप हमारे

भाई है। वह कानून तो विदेशियों ने हिन्दुस्तान को गुलाम रखने के लिए बनाया था हम यह कानून हिन्दुस्तान की उन्नति, तरक्की और बेहतरी के लिए, उसकी शक्ति को बढ़ाने के लिए लाए हैं। मैं चाहूंगा कि आप इसमें कोआपरेशन दें।

एक मंत्री साहब ने कहा कि यह कानून हमको पकड़ने के लिए बनाया गया है। वे ऐसा क्यों सांचते हैं? वे लोगों को इन्स्टीगेट न करें, हम उन्हें नहीं पकड़ेंगे। अगर उनका इरादा है कि कोई न कोई दगा खड़ा करना ही है, तो फिर वे इसमें आ ही जाएंगे। लेकिन हमारी पूरी कोशिश होगी कि किसी के साथ बेइन्साफी न हो।

यह भी कहा गया है कि यह सरकार इमर-जन्मी की तरफ जा रही है। इमरजन्सी की तरफ जाने की क्या जरूरत है? हम वह गलती नहीं करेंगे कि आपको जेलों में रख कर खाना खिलाएं, दंड-भान करें और पहरा दें। आप जहां चाहें घूमते रहें। हां, आप जरूर यह चाहते हैं। आप दीक्षित अफ्रीका के कानून की बात करते हैं। आप का यह इरादा हो सकता है कि हम मजदूरों को भड़काएंगे, उन्हें हमारे खिलाफ करेंगे। इसी लिए आपने हमारे विचारों पर कम ध्यान दिया है। लेकिन यह तो जनता की कबहरी में जाएगा। हम जनता को भेजे हुए नुमाइन्दे हैं। यह महान् हाउस है, इसका बड़ा आदर और सम्मान है। मुल्क के लोग इस को देखेंगे, पढ़ेंगे और इसके बारे में फैसला करेंगे। (व्यवधान) आपका ख्याल है कि आपकी कौन्सेलिंग का हम पर असर हुआ है। उसी तरह मंत्री ख्याल है कि मेरी कौन्सेलिंग का आप पर असर हुआ है। आप इतनी बहादुरी के साथ बोल रहे हैं। इस तरह बार-बार डिफीड खाना बड़ी हिम्मत की बात है, नहीं तो आदमी घबरा जाता है। इसी लिए आप इसकी हर एक बुराई मुहब्बत की नहीं जाती, हो जाती है। आपको दूरी जिले के साथ मुहब्बत हो गई है। इसी लिए आप इसकी हद एक क्लोज को, एक एक लाइन को, बड़े ध्यान से देख रहे हैं।

SHRI SOMNATH CHATTERJEE: Let me seek a clarification. He said that this matter which we pointed out will be taken care of in their rules which will be made.

But, where is the provision for making the rules? This Bill does not contemplate making rules. Then, how can you rectify all this? Therefore, again he has been misled either by Mr. Makwana or by Mr. Shiv Shankar. रूल का यहां इस में कोई प्राविजन नहीं है।

Kindly look into that.

श्री जल्लिंह : चैटर्जी जी, मैं तो आप की पहले ही प्रशंसा कर चुका हूँ। आप की बात बात में बात है, हम तो पहले ही मानते हैं। लेकिन आप ने जरा गौर से देखा होगा, मैंने दो बातें कही थीं कि हम रूल भी इस के बनाएंगे उस वक्त भी ध्यान रखेंगे और अगर रूल के मुताबिक हम इस खतरा को दूर नहीं कर सके तो प्रीक्टिकल देखेंगे और प्रीक्टिकल देखने के बाद अगर बहुत खतरा होगा तो उस पर दोबारा विचार कर लेंगे। आप के जो विचार हैं वह व्यर्थ नहीं जाएंगे।

MR. CHAIRMAN: Now, I will put all the amendments moved to Clause 11 to the vote of the House.

SOME HON. MEMBERS: Sir, the lobbies may be first cleared.

MR. CHAIRMAN: Let the lobbies be cleared.

The lobbies have been cleared. I am putting all the Amendments moved to Clause 11 to the vote of the House.

[Mr. Chairman]

The question is:

Page 5, line 44,—

Omit "in a summary way" (22)

Page 6, line 4,—

add at the end—

"and on conviction the accused shall be entitled to prefer appeal against conviction to the next higher court and on preferring the appeal the order of conviction shall stand suspended". (27).

Page 5, lines 44 to 48—

for "a summary way by any Metropolitan Magistrate, or any Judicial Magistrate of the First Class specially empowered in this behalf by the State Government and the provisions of sections 262 to 265 (both inclusive) of the said Code shall, as far as may be apply to such trial".

substitute—

"the Sessions Court" (86).

Page 6,—

Omit lines 1 to 4. (87).

Page 5, lines 46 to 48,—

Omit "specially empowered in this behalf by the State Government and the provisions of sections 262 to 265 (both inclusive) of the said code shall, as far as may be, apply to such trial." (108).

Page 5, line 44,—

for "in a summary way" substitute—

"as a summons case" (172).

Page 5, lines 46 to 48—

Omit "and the provisions of sections 262 to 265 (both inclusive) of the said Code shall as far as may be, apply to such trial." (173).

Page 5,—

for lines 43 to 48, substitute—

"All offences under this Act shall be tried in accordance with the law in force." (218).

Page 5, line 48,—

add at the end—

"and on conviction the accused shall be entitled to prefer appeal against conviction to the next higher courts and on preferring the appeal the order of conviction shall stand suspended." (293).

Page 6, line 4,—

add at the end—

"and on conviction the accused shall be entitled to appeal against such conviction to the next higher court". (379).

Page 5, line 44,—

after "all offences" insert—

"under sections 8 and 9 of this Act" (401).

Pages 5 and 6,—

for clause 11 substitute—

"11. Notwithstanding anything contained in this Act, all offences under this Act shall be tried under the provisions of the Code of Criminal Procedure, 1973 by a competent Judicial Magistrate of the First Class specially empowered in this behalf by the State Government." (412).

Page 6, line 1,—

Omit "summary" (474).

The Lok Sabha divided:

Division No. 32]

[01.15 hrs.

AYES

Acharia, Shri Basudeb
Balanandan, Shri E.
Barman, Shri Palas
Basu, Shri Chitta

Bhattacharyya, Shri Sushil
 Biswas, Shri Ajoy
 Chakraborty, Shri Satyasadhan
 Chatterjee, Shri Somnath
 Chaudhuri, Shri Tridib
 Choudhury, Shri Saifuddin
 Das, Shri R. P.
 Ghosh, Shri Niren
 Ghosh Goswami, Shrimati Bibha
 Giri, Shri Sudhir
 Gopalan, Shrimati Suseela
 Gupta, Shri Indrajit
 Halder, Shri Krishna Chandra
 Hannan Mollah, Shri
 Hasda, Shri Matilal
 Imbichibava, Shri E. K.
 Jatiya, Shri Satyanarayan
 Kodliyan, Shri P. K.
 Lawrence, Shri M. M.
 Mahata, Shri Chitta
 Mandal, Shri Mukunda
 Mandal, Shri Sanat Kumar
 Masudal Hossain, Shri Syed
 Mhalgi, Shri R. K.
 Misra, Shri Satyagopal
 Modak, Shri Bijoy
 Mohammed Ismail, Shri
 Mukherjee, Shrimati Geeta
 Mukherjee, Shri Samar
 Pal, Prof. Rup Chand
 Parulekar, Shri Bapusaheb
 Pathak, Shri Ananda
 Rai, Shri M. Ramanna
 Rajan, Shri K. A.
 Rajda, Shri Ratansinh
 Riyan, Shri Baju Ban
 Roy, Dr. Saradish
 Roy Pradhan, Shri Amar
 Saha, Shri Ajit Kumar
 Saha, Shri Gadadhar
 Sen, Shri Subodh
 Shastri, Shri Ramavatar
 Shejwalkar, Shri N. K.

Suraj Bhan, Shri
 Surya Narayan Singh, Shri
 Tirkey, Shri Pius
 Unnikrishnan, Shri K. P.
 Varma, Shri Ravindra
 Yadav, Shri Vijay Kumar
 Zainal Abedin, Shri

NOES

Ahmed, Shri Kamaluddin
 Anuragi, Shri Gadil Prasad
 Appalanaidu, Shri S. R. A. S.
 Arakal, Shri Xavier
 Azad, Shri Bhagwat Jha
 Azad, Shri Ghulam Nabi
 Bajpai, Dr. Rajendra Kumari
 Baleshwar Ram, Shri
 Barot, Shri Maganbhai
 Barway, Shri J. C.
 Bhagwan Dev, Acharya
 Bhakta, Shri Manoranjan
 Bhoi, Dr. Krupasindhu
 Bhuria, Shri Dileep Singh
 Brijendra Pal Singh, Shri
 Chakradhari Singh, Shri
 Chandra Shekhar Singh, Shri
 Chandrashekharaappa, Shri T. V.
 Chaturvedi, Shrimati Vidyawati
 Chaudhary, Shri Manphol Singh
 Chavan, Shri S. B.
 Chennupati, Shrimati Vidya
 Dalbir Singh, Shri
 Das, Shri A. C.
 Dennis, Shri N.
 Dev, Shri Sontosh Mohan
 Dhandapani, Shri C. T.
 Dhote, Shri Jambuwant
 Era Anbarasu, Shri
 Gadgil, Shri V. N.
 Gadhavi, Shri Bhavaradan K.
 Gaikwad, Shri Udaysingrao
 Gamit, Shri Chhitubhai
 Gandhi, Shri Rajiv

Gehlot, Shri Ashok
 Ghufraan Azam, Shri
 Gireraj Singh, Shri
 Gomango, Shri Giridhar
 Gounder, Shri A. Senapathi
 Gouzagin, Shri N.
 Gowda, Shri D. M. Putte
 Jadeja, Shri Daulatsinhji
 Jamilur Rahman, Shri
 Jena, Shri Chintamani
 Jha, Shri Kamal Nath
 Karma, Shri Laxman
 Keyur Bhusan, Shri
 Kidwai, Shrimati Mohsina
 Krishna, Shri S. M.
 Krishna Pratap Singh, Shri
 Kuchan, Shri Gangadhar S.
 Kunwar Ram, Shri
 Kusuma Krishna Murthy, Shri
 Lakkappa, Shri K.
 Madhuri Singh, Shrimati
 Mahajan, Shri Vikram
 Mahendra Prasad, Shri
 Makwana, Shri Narsinh
 Mallick, Shri Lakshman
 Mallikarjun, Shri
 Mallu, Shri Anantha Ramulu
 Meena, Shri Ram Kumar
 Mehta, Dr Mahipatray M.
 Mishra, Shri Ram Nagina
 Mishra, Shri Umakant
 Misra, Shri Harinatha
 Misra, Shri Nityananda
 Mohanty, Shri Brajamohan
 Mohite, Shri Yashwantrao
 More, Shri Ramkrishna
 Motilal Singh, Shri
 Murthy, Shri M. V. Chandrashekhara
 Murugian, Shri S.
 Muthu Kumaran, Shri R.
 Muttemwar, Shri Vilas
 Nagina Rai, Shri

Naikar, Shri D. K.
 Nair, Shri B. K.
 Namgyal, Shri P.
 Netam, Shri Arvind
 Nihal Singh, Shri
 Nikhra, Shri Rameshwar
 Oraon, Shri Kartik
 Panday, Shri Kedar
 Pandey, Shri Krishna Chandra
 Panigrahi, Shri Chintamani
 Pardhi, Shri Keshao Rao
 Parthasarathy, Shri P.
 Patel, Shri Shantubhai
 Patel, Shri Uttambhai H.
 Patil, Shri A. T.
 Patil, Shri Shivraj V.
 Patil, Shri Uttamrao
 Patil, Shri Vijay N.
 Patnaik, Shrimati Jayanti
 Pattabhi Rama Rao, Shri S. B. P.
 Pilot, Shri Rajesh
 Poojary, Shri Janardhana
 Potdukhe, Shri Shantaram
 Pushpa Devi Singh, Kumari
 Quadri, Shri S. T.
 Rahim, Shri A. A.
 Raju Shri P. V. G.
 Ram, Shri Ramswaroop
 Ramamurthy, Shri K.
 Ran Vir Singh, Shri
 Rane, Shrimati Sanyogita
 Rao, Shrimati B. Radhabai Ananda
 Rao, Shri M. S. Sanjeevi
 Raut, Shri Bhola
 Ravani, Shri Navin
 Reddi, Shri G. S.
 Reddy, Shri K. Obul
 Reddy, Shri M. Ram Gopal
 Reddy, Shri P. Venkata
 Saminuddin, Shri
 Sangma, Shri P. A.
 Satish Prasad Singh, Shri
 Satya Deo Singh, Prof.

Sawant, Shri T. M.
 Sebastian, Shri S. A. Dorai
 Sethi, Shri Arjun
 Shaktawat, Prof. Nirmala Kumari
 Shankaranand, Shri B.
 Shanmugam, Shri P.
 Sharma, Shri Nand Kishore
 Shrama, Shri Nawal Kishore
 Shastri, Shri Dharam Dass
 Shiv Shankar, Shri P.
 Shukla, Shri Vidya Charan
 Sindal, Shri S. B.
 Singh, Dr. B. N.
 Singh Deo, Shri K. P.
 Sinha, Shrimati Ramdulari
 Soren, Shri Hari Har
 Sparrow, Shri R. S.
 Sreenivasa Prasad, Shri V.
 Sultanpur, Shri Krishan Dutt
 Swami, Shri K. A.
 Tariq Anwar, Shri
 Tewary, Prof. K. K.
 Thorat, Shri Bhausaheb
 Tiwari, Shri Narayan Datt
 Tytler, Shri Jagdish
 Vairale, Shri Madhusudan
 Varma, Shri Jai Ram
 Venkatasubbaiah, Shri P.
 Vijayaraghavan, Shri V. S.
 Virbhadra Singh, Shri
 Vyas, Shri Girdhari Lal
 Wagh, Dr. Pratap
 Wasnik, Shri Balkrishna Ramchandra
 Yadav, Shri Ram Singh
 Yusuf, Shri Mohmed
 Zail Singh, Shri

MR. CHAIRMAN: Subject to correction, the result* of the division is: Ayes 54; Noes 155.

The motion was negatived.

MR. CHAIRMAN: The question is:

"That Clause 11 stand part of the Bill."

The Lok Sabha divided:

Division No. 33] [001.56 hrs.

AYES

Ahmed, Shri Kamaluddin
 Anuragi, Shri Godil Prasad
 Appalanaidu, Shri S. R. A. S.
 Arakal, Shri Xavier
 Azad, Shri Bhagwat Jha
 Azad, Shri Ghulam Nabi
 Bajpai, Dr. Rajendra Kumari
 Baleshwar Ram, Shri
 Barot, Shri Maganbhai
 Barway, Shri J. C.
 Bhagwan Dev, Acharya
 Bhakta, Shri Manoranjan
 Bhoi, Dr. Krupasindhu
 Bhuria, Shri Dileep Singh
 Brijendra Pal Singh, Shri
 Chakradhari Singh, Shri
 Chandra Shekhar Singh, Shri
 Chandrashekharappa, Shri T. V.
 Chaturvedi, Shrimati Vidyawati
 Chaudhary, Shri Manphool Singh
 Chavan, Shri S. B.
 Chennupati, Shrimati Vidya
 Dalbir Singh, Shri
 Das, Shri A.C.
 Dennis, Shri N.
 Dev, Shri Sontosh Mohan

* (i) The following Members also recorded their votes:

AYES: Sarvshri A. K. Roy, Sunil Maitra, A. K. Balan and Ajit Bag;

NOES: Shri Kali Charan Sharma and Shri Ramayan Rai.

(2) The result of this division applies to all the amendments to clause 11 separately.

Dhandapani, Shri C. T.
 Dhote, Shri Jambuwant
 Era Anbarasu, Shri
 Gadgil, Shri V. N.
 Gadhavi, Shri Bheravadan K.
 Gaikwad, Shri Udaysingrao
 Gamit, Shri Chhitubhai
 Gandhi, Shri Rajiv
 Gehlot, Shri Ashok
 Ghufan Azam, Shri
 Gireraaj Singh, Shri
 Gomango, Shri Giridhar
 Gounder, Shri A. Senapathi
 Gowda, Shri D. M. Putte
 Jadeja, Shri Daulatsinhji
 Jain, Shri Virdhi Chander
 Jamilur Rahman, Shri
 Jena, Shri Chintamani
 Jha, Shri Kamal Nath
 Karma, Shri Laxman
 Keyur Bhusan, Shri
 Kidwai, Shrimati Mohsina
 Krishna, Shri S. M.
 Krishna Pratap Singh, Shri
 Kuchan, Shri Gangadhar S.
 Kunwar Ram, Shri
 Kusuma Krishna Murthy, Shri
 Lakkappa, Shri K.
 Madhuri Singh, Shrimati
 Mahajan, Shri Vikram
 Mahendra Prasad, Shri
 Makwana, Shri Narsinh
 Mallick, Shri Lakshman
 Mallikarjun, Shri
 Mallu, Shri Anantha Ramulu
 Meena, Shri Ram Kumar
 Mehta, Dr. Mahipatray M.
 Mishra, Shri Ram Nagina
 Mishra, Shri Umakant
 Misra, Shri Harinatha
 Misra, Shri Nityananda
 Mohanty, Shri Brajamohan
 Mohite, Shri Yashwantrao

More, Shri Ramkrishna
 Motilal Singh, Shri
 Murthy, Shri M. V. Chandrashekara
 Murugian, Shri S.
 Muthu Kumaran, Shri R.
 Muttemwar, Shri Vilas
 Nagina Rai, Shri
 Naikar, Shri D. K.
 Nair, Shri B. K.
 Namgyal, Shri P.
 Netam, Shri Arvind
 Nihal Singh, Shri
 Nikhra, Shri Rameshwar
 Oraon, Shri Kartik
 Panday, Shri Kedar
 Pandey, Shri Krishna Chandra
 Panigrahi, Shri Chintamani
 Pardhi, Shri Keshaoara
 Parthasarathy, Shri P.
 Patel, Shri Shantubhai
 Patel, Shri Uttambhai H.
 Patil, Shri A.T.
 Patil, Shri Shivraj V.
 Patil, Shri Uttamrao
 Patil, Shri Vijay N.
 Patnaik, Shrimati Jayanti
 Pattabhi Rama Rao, Shri S. B. P.
 Pilot, Shri Rajesh
 Poojary, Shri Janardhana
 Potdukhe, Shri Shantaram
 Pushpa Devi Singh, Kumari
 Quadri, Shri S. T.
 Rahim, Shri A. A.
 Raju, Shri P. V. G.
 Ram, Shri Ramswaroop
 Ramamurthy, Shri K.
 Ram Vir Singh, Shri
 Rane, Shrimati Snyogita
 Rao, Shrimati B. Radhabai Ananda
 Rao, Shri M. S. Sanjeevi
 Raut, Shri Bhola
 Ravani, Shri Navin
 Reddi, Shri G. S.

Reddy, Shri K. Obul

Reddy, Shri M. Ram Gopal

Reddy, Shri P. Venkata

Saminuddin, Shri

Sangma, Shri P. A.

Satish Prasad Singh, Shri

Satya Deo Singh, Prof.

Sawant, Shri T. M.

Sebastian, Shri S. A. Doral

Sethi, Shri Arjun

Shaktawat, Prof. Nirmala Kumari

Shankaranand, Shri B.

Shanmugam, Shri P.

Sharma, Shri Kali Charan

Sharma, Shri Nand Kishore

Sharma, Shri Nawal Kishore

Shastri, Shri Dharam Dass

Shiv Shankar, Shri P.

Shukla, Shri Vidya Charan

Sidnal, Shri S. B.

Singh, Dr. B. N.

Singh Deo, Shri K. P.

Sinha, Shrimati Ramdulari

Soren, Shri Hari Har

Sparrow, Shri R. S.

Sreenivasa Prasad, Shri V.

Sukhadia, Shri Mohan Lal

Sultanpuri, Shri Krishan Dutt

Swami, Shri K. A.

Tewary, Prof. K. K.

Thorat, Shri Bhausaheb

Tiwari, Shri Narayan Datt

Tytler, Shri Jagdish

Vairale, Shri Madhusudan

Varma, Shri Jai Ram

Venkatasubbaiah, Shri P.

Vijayaraghavan, Shri V. S.

Virbhadr Singh, Shri

Vyas, Shri Girdhari Lal

Wagh, Dr. Pratap

Wasnik, Shri Balkrishna Ramchandra

Yadav, Shri Ram Singh

Yusuf, Shri Mohmed

Zail Singh, Shri

Acharia, Shri Basudeb

Balan, Shri A. K.

Balanandan, Shri E.

Barman, Shri Palas

Basu, Shri Chitta

Bhattacharyya, Shri Sushil

Biswas, Shri Ajoy

Chakraborty, Shri Satyasadhan

Chatterjee, Shri Somnath

Chaudhuri, Shri Tridib

Choudhury, Shri Saifuddin

Das, Shri R. P.

Ghosh, Shri Niren

Ghosh Goswami, Shrimati Bibha

Giri, Shri Sudhir

Gopalan, Shrimati Suseela

Gupta, Shri Indrajit

Halder, Shri Krishna Chandra

Hannan Mollah, Shri

Hasda, Shri Matilal

Imbichibava, Shri E. K.

Jatiya, Shri Satyanarayan

Kodiyan, Shri P.K.

Lawrence, Shri M. M.

Mahata, Shri Chitta

Maitra, Shri Sunil

Mandal, Shri Sanat Kumar

Masudal Hossain, Shri Syed

Mhalgi, Shri R. K.

Misra, Shri Satyagopal

Modak, Shri Bijoy

Mohammed Ismail, Shri

Mukherjee, Shrimati Geeta

Mukherjee, Shri Samar

Pal, Prof. Rup Chand

Parulekar, Shri Bapusaheb

Pathak, Shri Ananda

Rai, Shri M. Ramanna

Rajan, Shri K. A.

Rajda, Shri Ratansinh

Riyan, Shri Baju Ban

Roy, Dr. Saradish

Roy Pradhan, Shri Amar
Saha, Shri Ajit Kumar
Saha, Shri Gadadhar
Sen, Shri Subodh
Shastri, Shri Ramavatar
Shejwalkar, Shri N. K.
Suraj Bhan, Shri
Surya Narayan Singh, Shri
Tirkey, Shri Pius
Unnikrishnan, Shri K. P.
Varma, Shri Ravindra
Yadav, Shri Vijay Kumar
Zainal Abedin, Shri

MR. CHAIRMAN: Subject to correction the result* of the division is: Ayes 156; Noes 55.

The motion was adopted.

Clause 11 was added to the Bill.

Clause 12—(Act to override other laws)

MR. CHAIRMAN: Now, we take up Clause 12. Now, the amendments may be moved to Clause 12.

SHRI RUP CHAND PAL: I beg to move:

Page 6, line 6,—

for "not withstanding" substitute—

"in conformity with" (110)

Page 6, line 6,—

Omit "inconsistent therewith" (111)

SHRI SATYANARAYAN JATIYA: I beg to move:

Page 6, line 6,—

for "not withstanding anything inconsistent therewith contained in"

substitute "only on being consistent with" (132)

SHRI SOMNATH CHATTERJEE: I beg to move:

Page 6, lines 7 and 8,—

for "in the Industrial Disputes Act, 1947, or in any other law for the time being in force"

substitute—

"in any law for the time being in force other than the Industrial Disputes Act, 1947." (175)

SHRI RAVINDRA VARMA: I beg to move:

Page 6,—

for clause 12, substitute—

"12. Nothing in this Act or any order issued thereunder shall be valid if it is inconsistent with the provisions of the Industrial Disputes Act, 1947." (356)

SHRI A. K. ROY: I beg to move:

Page 6, lines 6 to 8,—

for "notwithstanding anything inconsistent therewith contained in the Industrial Disputes Act, 1947, or in any other law for the time being in force"

substitute "provided they are in accordance with the Industrial Disputes Act, 1947." (402)

SHRI E. BALANANDAN: I beg to move:

Page 6,—

for clause 12, substitute—

"12. The provisions of the Act and of any order issued thereunder shall have effect in accordance with the law of the land for the time being in force." (413)

*The following Members also recorded their votes:

AYES: Shri Ramayan Rai and Shri Tariq Anwar;

NOES: Sarvashri A. K. Roy, Mukunda Mandal and Ajit Bag.

SHRI VIJAY KUMAR YADAV: I beg to move:

Page 6, lines 6 and 7,—

for "not withstanding anything inconsistent therewith contained in"

substitute "which are not inconsistent with the provisions of" (475)

MR. CHAIRMAN: These amendments are before the House.

SHRI RUP CHAND PAL: Sir, from this side, the hon. Members belonging to the Opposition, barring, of course, one loyal Opposition Member, spoke with anguish and with rancour. Now, at the last moment, I frankly appeal to the hon. Home Minister to withdraw this Bill. There was report sometime back that there was a difference of opinion within the Cabinet, within the ruling party, regarding this Bill. You may deny it, I do not know. You are at liberty to deny it. Such a difference of opinion is more healthy than what you are doing in the States now.

2.00 hrs.

The hon. Minister Mr. Stephen has said that they were not bidding goodbye to the Industrial Disputes Act of 1947. I am coming to my amendment. My amendment is that where it is written "Notwithstanding anything contained therewith contained in", I want to say: "omit 'inconsistent therewith' and incorporate 'in conformity with the Industrial Disputes Act, 1947.'" I hope the hon. Home Minister will accept it.

श्री सत्यनारायण जीटिया : सभापति जी, धारा 12 के सम्बन्ध में मेरा 132वें नम्बर का संशोधन है। इस में कहा गया है—
"अन्तर्विष्ट किसी बात से असंगत होते हुए भी 'के स्थान पर केवल संगत होने पर ही' प्रतिस्थापित किया जाय। इस का मतलब है श्रम के जितने कानून बने हैं उन सारी बातों से यदि कोई बात मेल न खाये, उन सारे

नियमों का पालन न करे, उन को तब तक रखने के बावजूद भी यह कानून प्रभावी हो, इस लिये मेरा कहना है कि हमारे यहां जो श्रम का दर्जा है, मेहनतकश का दर्जा है, उसका नीचे आंका जा रहा है। हमारे श्रम मंत्री जी शायद ऐसी बात प्रकट करने की स्थिति में नहीं होंगे, इस लिये मैं कहता हूँ कि यह मजदूरों के हितों के खिलाफ है इस लिये इन सारी बातों को न्यायसंगत होने पर ही शामिल किया जाय।

SHRI SOMNATH CHATTERJEE:
I strongly endorse by amendment.

MR. CHAIRMAN: Mr. Ravindra Varma is not speaking. Shri A. K. Roy.

SHRI A. K. ROY: The Industrial Disputes Act is the basic Act; and recently in November 1980, in the judgment on LIC the Supreme Court also held that even the LIC Act can not over-ride it. That is why I say that there is no point in such a temporary law over-riding a basic law like the Industrial Disputes Act. That is why I say. That in place of

"notwithstanding anything inconsistent therewith contained in the Industrial Disputes Act, 1947, or in any other law for the time being in force".

I have put:

"Provided they are in accordance with the Industrial Disputes Act, 1947."

SHRI E. BALANANDAN: I request the Law Minister to request the Home Minister to accept my amendment.

MR. CHAIRMAN: Mr. Vijay Kumar Yadav is not speaking. I shall now put all the amendments to Clause 12 to the vote of the House.

SHRI P. K. KODIYAN (Adoor): Why don't you ask the Minister to reply?

MR. CHAIRMAN: I am now asking.
He does not want to reply.

Again I put it. I shall now put all
the amendments to Clause 12 to the
vote of the House.

*The Amendment Nos. 110, 111, 132,
175, 366, 402, 413 and 475 were put
and negatived.*

MR. CHAIRMAN: The question is:
"That Clause 12 stand part of the
Bill".

The Lok Sabha divided

Division No. 341] 0.2.07 hrs:

AYES

Ahmed, Shri Kamaluddin
Anuragi, Shri Godil Prasad
Appalanaidu, Shri S. R. A. S.
Arakal, Shri Xavier
Azad, Shri Bhagwat Jha
Azad, Shri Ghulam Nabi
Bajpai, Dr. Rajendra Kumar
Baleshwar Ram, Shri
Barot, Shri Maganbhai
Barway, Shri J. C.
Bhagwan Dev, Acharya
Bhakta, Shri Manoranjan
Bhoi, Dr. Krupasindhu
Bhuria, Shri Dileep Singh
Brijendra Pal Singh, Shri
Chandra Shekhar Singh, Shri
Chandrashekarappa, Shri T. V.
Chaturvedi, Shrimati Vidyawati
Chaudhary, Shri Manphool Singh
Chavan, Shri S. B.
Chennupati, Shrimati Vidya
Dalbir Singh, Shri
Das, Shri A.C.
Dennis, Shri N.
Dev, Shri Sontosh Mohan
Dhandapani, Shri C. T.
Dhote, Shri Jambuwant

Era Anbarasu, Shri
Gadgil, Shri V.N.
Gadhavi, Shri Bheravadan K.
Gaikwad, Shri Udaysingrao
Gemit, Shri Chhitubhai
Gandhi, Shri Rajiv
Gehlot, Shri Ashok
Ghufran Azam, Shri
Gireraj Singh, Shri
Gomango, Shri Giridhar
Gounder, Shri A. Senapathi
Gowda, Shri D. M. Putte
Jadeja, Shri Daulatsinhji
Jain, Shri Viridhi Chander
Jamilur Rahman, Shri
Jena, Shri Chintamani
Jha, Shri Kamal Nath
Karma, Shri Laxman
Keyur Bhusan, Shri
Kidwai, Shrimati Mohsina
Krishna, Shri S.M.
Krishna Pratap Singh, Shri
Kuchan, Shri Gangadhar S.
Kunwar Ram, Shri
Kusuma Krishna Murthy, Shri
Lakkappa, Shri K.
Madhuri Singh, Shrimati
Mahajan, Shri Vikram
Mahendra Prasad, Shri
Mekwana, Shri Narsinh
Mallick, Shri Lakshman
Mallikarjun, Shri
Mallu, Shri Anantha Ramulu
Meena, Shri Ram Kumar
Mehta, Dr. Mahipatray M.
Mishra, Shri Ram Nagina
Mishra, Shri Umakant
Misra, Shri Harinatha
Misra, Shri Nityananda
Mohanty, Shri Brajamohan
Mohite, Shri Yashawantrao
More, Shri Ramkrishna
Motilal Singh, Shri

Murthy, Shri M. V. Chandrashekhara
Murugian, Shri S.
Muthu Kumaran, Shri R.
Nagina Rai, Shri
Naikar, Shri D. K.
Nair, Shri B. K.
Namgyal, Shri P.
Netam, Shri Arvind
Nihal Singh, Shri
Nikhra, Shri Rameshwar
Oraon, Shri Kartik
Panday, Shri Kedar
Pandey, Shri Krishna Chandra
Panigrahi, Shri Chintamani
Pardhi, Shri Kesharao
Parthasarathy, Shri P.
Patel, Shri Shantubhai
Patel, Shri Uttambhai H.
Patil, Shri A.T.
Patil, Shri Shivraj V.
Patil, Shri Uttamrao
Patil, Shri Vijay N.
Patnaik, Shrimati Jayanti
Pilot, Shri Rajesh
Poojary, Shri Janardhana
Potdukhe, Shri Shantaram
Pushpa Devi Singh, Kumari
Quadri, Shri S. T.
Rahim, Shri A. A.
Raju, Shri P. V. G.
Ram, Shri Ramswaroop
Ramamurthy, Shri K.
Ran Vir Singh, Shri
Rane, Shrimati Sanyogita
Rao, Shrimati B. Radhabai Ananda
Rao, Shri M. S. Sanjeevi
Raut, Shri Bhola
Ravani, Shri Navin
Reddi, Shri G. S.
Reddy, Shri K. Obul
Reddy, Shri M. Ram Gopal
Reddy, Shri P. Venkata
Saminuddin, Shri
Sangma, Shri P. A.

Satish Prasad Singh, Shri
Satya Deo Singh, Prof.
Sawant, Shri T. M.
Sebastian, Shri S. A. Dorai
Sethi, Shri Arjun
Shaktawat, Prof. Nirmala Kumari
Shankaranand, Shri B.
Shanmugam, Shri P.
Sharma, Shri Kali Charan
Sharma, Shri Nand Kishore
Sharma, Shri Nawal Kishore
Shiv Shankar, Shri P.
Shukla, Shri Vidya Charan
Sidnal, Shri S. B.
Singh, Dr. B. N.
Singh, Deo, Shri K. P.
Sinha, Shrimati Ramdulari
Soren, Shri Hari Har
Sparrow, Shri R. S.
Sreenivasa Prasad, Shri V.
Sukhadia, Shri Mohan Lal
Sultanpuri, Shri Krishan Dutt
Swami, Shri K. A.
Tariq Anwar, Shri
Tewary, Prof. K. K.
Thorat, Shri Bhausaheb
Tiwari, Shri Narayan Datt
Tytler, Shri Jagdish
Vairale, Shri Madhusudan
Varma, Shri Jai Ram
Venkatasubbaiah, Shri P.
Vijayaraghavan, Shri V. S.
Virbhadra Singh, Shri
Vyas, Shri Girdhari Lal
Wagh, Dr. Pratap
Wasnik, Shri Balkrishna Ramchandra
Yusuf, Shri Mohamed
Zail Singh, Shri
NOES
Acharia, Shri Basudeb
Balan, Shri A. K.
Balanandan, Shri E.
Barman, Shri Palas
Basu, Shri Chitta

Bhattacharyya, Shri Sushil
 Biswas, Shri Ajoy
 Chakraborty, Shri Satyasadhan
 *Chakradhari Singh, Shri
 Chatterjee, Shri Somnath
 Chaudhari, Shri Tridib
 Choudhary, Shri Salfuddin
 Das, Shri R. P.
 Ghosh, Shri Niren
 Ghosh Goswami, Shrimati Bibha
 Giri, Shri Sudhir
 Gopalan, Shrimati Suseela
 Halder, Shri Krishna Chandra
 Hannan Mollah, Shri
 Hasda, Shri Matilal
 Imbichibava, Shri E. K.
 Jatiya, Shri Satyanarayan
 Kodyan, Shri P. K.
 Lawrence, Shri M.M.
 Mahata, Shri Chitta
 Maitra, Shri Sunil
 Mandal, Shri Mukunda
 Mandal, Shri Sanat Kumar
 Masudal Hossain, Shri Syed
 Mhalgi, Shri R. K.
 Misra, Shri Satyagopal
 Modak, Shri Bijoy
 Mohammed Ismail, Shri
 Mukherjee, Shrimati Geeta
 Mukherjee, Shri Samar
 Pal, Prof. Rup Chand
 Parulekar, Shri Bapusaheb
 Pathak, Shri Ananda
 Raj, Shri M. Ramanna
 Rajan, Shri K. A.
 Rajda, Shri Ratansinh
 Riyan, Shri Baju Ban
 Roy, Dr. Saradish
 Roy Pradhan, Shri Amar

Saha, Shri Ajit Kumar
 Saha, Shri Gadadhar
 Sen, Shri Subodh
 Shastri, Shri Ramavatar
 Suraj Bhan, Shri
 Surya Narayan Singh, Shri
 Turkey, Shri Pius
 Varma, Shri Ravindra
 Yadav, Shri Vijay Kumar
 Zainal Abedin, Shri

MR. CHAIRMAN: Subject to correction, the result of the division is: Ayes: 152; Noes: 54.

The 'Ayes' have it, the 'Ayes' have it.

The motion was adopted

Clause 12 was added to the Bill.

Clause 13—(Amendment of Act 41 of 1980)

MR. CHAIRMAN: Now we shall take up Clause 13. Now there is only one amendment No. 403 moved by Sri A. K. Roy.

SHRI A. K. ROY: I beg to move:

Page 6 and 7,—

for clause 13, substitute—

"13. The Essential Services Maintenance (Assam) Act, 1980 is hereby repealed." (403).

Sir, it is no good to have overlapping laws with confused jurisdiction. My amendment is very simple. Very simple. I am reading.

13. "The Essential Services Maintenance, Assam, Act 1980 is hereby repealed."

This is my amendment. My point is that we, this House had the misfortune to enact to Assam Act last year. But the Act could not maintain any essential service or anything in

*Wrongly voted for NOES

The following Members also recorded their votes:

AYES: Sarvshri Dharam Das Shastri, Ramayan Rai, Vilas Muttemwar, and Chakradhari Singh.

NOES: Shri A. K. Roy and Shri Ajit Bag.

Assam. Now, we could not make Assam India, we are going to make India Assam and that is why now we are enacting this Act. So, once we have decided that we are going to make the whole country like that by similar Acts, with all its tentacles, then there is no need for carrying that Act also. That is why when we are saying this Act as Essential Services Maintenance Act, the Assam Act 1980 should be repealed.

MR. CHAIRMAN: Mr. Minister, do you want to say something.

SHRI ZAIL SINGH: No.

MR. CHAIRMAN: I shall now put Amendment No. 403 moved by Shri A. K. Roy to the vote of the House.

Amendment No. 403 was put and negatived.

MR. CHAIRMAN: The question is:

"That Clause 13 stand part of the Bill."

The Lok Sabha divided.

Division No. 35] [02.15 hrs

AYES

Ahmed, Shri Kamaluddin
Anuragi, Shri Godil Prasad
Appalanaidu, Shri S. R. A. S.
Arakal, Shri Xavier
Azad, Shri Bhagwat Jha
Azad, Shri Ghulam Nabi
Bajpai, Dr. Rajendra Kumari
Baleshwar Ram, Shri
Barot, Shri Maganbhai
Barway, Shri J. C.
Bhagwan Dev, Acharya
Bhakta, Shri Manoranjan
Bhoi, Dr. Krupasindhu
Bhuria, Shri Dileep Singh
Brijendra Pal Singh, Shri
Chakradhari Singh, Shri
Chandra Shekhar Singh, Shri
Chandrashekharaappa, Shri T. V.

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Chaturvedi, Shrimati Vidyawati
Chaudhary, Shri Manphool Singh
Chavan, Shri S. B.
Chennupati, Shrimati Vidya
Dalbir Singh, Shri
Das, Shri A. C.
Dennis, Shri N.
Dev, Shri Sontosh Mohan
Dhandapani, Shri C. T.
Dhote, Shri Jambuwant
Era Anbarasu, Shri
Gadgil, Shri V. N.
Gadhavi, Shri Bheravadan K.
Gaikwad, Shri Udaysingrao
Gamit, Shri Chhitubhai
Gandhi, Shri Rajiv
Gehlot, Shri Ashok
Ghufran Azam, Shri
Gireraaj Singh, Shri
Gomango, Shri Giridhar
Gounder, Shri A. Senapathi
Gowda, Shri D. M. Putte
Jadeja, Shri Daulatsinhji
Jain, Shri Nihal Singh
Jain, Shri Virdhi Chander
Jamilur Rahman, Shri
Jena, Shri Chintamani
Jha, Shri Kamal Nath
Karma, Shri Laxman
Keyur Bhusan, Shri
Kidwai, Shrimati Mohsina
Krishna, Shri S. M.
Krisna Pratap Singh, Shri
Kuchan, Shri Gangadhar S.
Kunwar Ram, Shri
Kusuma Krishna Murthy, Shri
Lakkappa, Shri K.
Madhuri Singh, Shrimati
Mahajan, Shri Vikram
Mahendra Prasad, Shri
Makwana, Shri Narsinh
Mallick, Shri Lakshman
Mallikarjun, Shri

Mallu, Shri Anantha Ramulu
Meena, Shri Ram Kumar
Mehta, Dr. Mahipatray M.
Mishra, Shri Ram Nagina
Mishra, Shri Umakant
Misra, Shri Harinatha
Misra, Shri Nityananda
Mohanty, Shri Brajamohan
Mohite, Shri Yashawantrao
More, Shri Ramkrishna
Motilal Singh, Shri
Murthy, Shri M. V. Chandrashekhara
Murugian, Shri S.
Muthu Kumaran, Shri R.
Muttamwar, Shri Vilas
Nagina Rai, Shri
Naikar, Shri D. K.
Nair, Shri B. K.
Namgyal, Shri P.
Netam, Shri Arvind
Nikhra, Shri Rameshwar
Oraon, Shri Kartik
Panday, Shri Kedar
Pandey, Shri Krishna Chandra
Panigrahi, Shri Chintamani
Pardhi, Shri Kesharao
Parthasarathy, Shri P.
Patel, Shri Shantubhai
Patel, Shri Uttambhai H.
Patil, Shri A. T.
Patil, Shri Shivraj V.
Patil, Shri Uttamrao
Patil, Shri Vijay N.
Patnaik, Smt. Jayant
Pilot, Shri Rajesh
Poojary, Shri Janardhana
Potdukhe, Shri Shantaram
Pushpa Devi Singh, Kumari
Quadri, Shri S. T.
Rahim, Shri A. A.
Raju, Shri P. V. G.
Ram, Shri Ramswaroop
Ramamurthy, Shri K.
Ran Vir Singh, Shri
Rane, Shrimati Sanyogita
Rao, Shrimati B. Radhabai Ananda
Rao, Shri M. S. Sanjeevi
Raut, Shri Bhola
Ravani, Shri Navin
Reddy, Shri K. Obul
Reddy, Shri M. Ram Gopal
Reddy, Shri P. Venkata
Saminuddin, Shri
Sangma, Shri P. A.
Satish Prasad Singh, Shri
Satya Deo Singh, Prof.
Sawant, Shri T. M.
Sethi, Shri Arjun
Shankaranand, Shri B.
Shanmugam, Shri P.
Sharma, Shri Kali Charan
Sharma, Shri Nand Kishore
Sharma, Shri Nawal Kishore
Shastri, Shri Dharam Dass
Shiv Shankar, Shri P.
Shukla, Shri Vidya Charan
Sidnal, Shri S. B.
Singh, Dr. B. N.
Singh Deo, Shri K. P.
Sinha, Shrimati Ramdulari
Soren, Shri Hari Har
Sparrow, Shri R. S.
Sreenivasa Prasad, Shri V.
Sukhadia, Shri Mohan Lal
Sultanpuri, Shri Krishan Dutt
Swami, Shri K. A.
Tariq Anwar, Shri
Tewary, Prof. K. K.
Thorat, Shri Bhausaheb
Tiwari, Shri Narayan Datt
Tytler, Shri Jagdish
Vairale, Shri Madhusudan
Varma, Shri Jai Ram
Venkatasubbaiah, Shri P.
Vijayaraghavan, Shri V. S.
Virbhadra Singh, Shri

Vyas, Shri Girdhari Lal
Wagh, Dr. Pratap
Wasnik, Shri Balkrishna Ramchandra
Yadav, Shri Ram Singh
Yusuf, Shri Mohmed
Zail Singh, Shri

NOES

Acharia, Shri Basudeb
Balan, Shri A. K.
Balanandan, Shri E.
Barman, Shri Palas
Basu, Shri Chitta
Bhattacharyya, Shri Sushil
Biswas, Shri Ajoy
Chakraborty, Shri Satyasadhan
Chatterjee, Shri Somnath
Chaudhuri, Shri Tridib
Choudhury, Shri Saifuddin
Das, Shri R. P.
Ghosh, Shri Niren
Ghosh Goswami, Shrimati Bibha
Giri, Shri Sudhir
Gopalan, Shrimati Suseela
Gupta, Shri Indrajit
Halder, Shri Krishna Chandra
Hannan Mollah, Shri
Hasda, Shri Matilal
Imbichibava, Shri E. K.
Jatiya, Shri Satyanarayan
Kodiyan, Shri P. K.
Lawrence, Shri M. M.
Mahata, Shri Chitta
Maitra, Shri Sunil
Mandal, Shri Mukunda
Mandal, Shri Sanat Kumar
Masudal Hossein, Shri Syed
Mhalgi, Shri R. K.
Miera, Shri Satyagopal
Modak, Shri Bijoy
Mohammed Ismail, Shri

Mukherjee, Shrimati Geeta
Mukherjee, Shri Samar
Pal, Prof. Rup Chand
Parulekar, Shri Bapusaheb
Pathak, Shri Ananda
Rai, Shri M. Ramanna
Rajan, Shri K. A.
Rajda, Shri Ratansinh
Riyan, Shri Bajju Ban
Roy, Dr. Saradish
Roy Pradhan, Shri Amar
Saha, Shri Ajit Kumar
Saha, Shri Gadadhar
Sen, Shri Subodh
Shastri, Shri Ramavatar
Shejwalkar, Shri N. K.
Surya Narayan Singh, Shri
Trikey, Shri Pius
Unnikrishnan, Shri K. P.
Varma Shri Ravindra
Yadav, Shri Vijay Kumar
Zainal Abedin, Shri

MR. CHAIRMAN: Subject to correction, the result* of the division is:

Ayes 153; Noes 55.

The motion was adopted.

Clause 13 was added to the Bill.

14—(Repeal and Saving)

SHRI A. K. ROY: I beg to move:
Page 7, omit lines 9 to 11. (404)

There is not only difference between the Industrial Disputes Act and the present Act, but there is also difference between the ordinance and this Bill. Sub-Clause (2) of clause 14 says:

"Notwithstanding such repeal, anything done or any action taken under the said Ordinance shall be deemed to have been done or taken under the corresponding provisions of this Act."

*The following Members also recorded their votes:

AYES: Shri Ramayan Rai;

NOES: Shri A. K. Roy and Shri Ajit Bag.

When there is difference between the Act and the ordinance, how can something done under the ordinance be deemed to have been done under this Act? That is why I say that this sub-clause (2) should be omitted.

MR. CHAIRMAN: You ask Mr. Somnath Chatterjee. He is a lawyer and he will tell you.

SHRI A. K. ROY: Why should Mr. Chatterjee come to your help? I want that you should tell me or the Home Minister should tell me. If a worker is caught in a so-called illegal strike he will be punished. But if an employer is caught for an illegal lock-out, he will be spared. That is the implication and that is why you want to incorporate it in the Bill. That is why I say that sub-clause (2) should be removed.

MR. CHAIRMAN: Now I shall put Amendment No. 404 moved by Shri A. K. Roy to Clause 14 to the vote.

Amendment No. 404 was put and negatived

MR. CHAIRMAN: The question is:

"That clause 14 stand part of the Bill".

The Lok Sabha divided:

Division No. 36] [02.24 hrs.

AYES

Ahmed, Shri Kamaluddin
Anuragi, Shri Godil Prasad
Appalanaidu, Shri S. R. A. S.
Arakal, Shri Xavier
Azad, Shri Bhagwant Jha
Azad, Shri Ghulam Nabi
Bajpai, Dr. Rajendra Kumari
Baleshwar Ram, Shri
Barot, Shri Maganbhai
Barway, Shri J. C.
Bhagwan Dev, Acharya
Bhakta, Shri Manoranjan
Bhoi, Dr. Krupasindhu
Bhuria, Shri Dileep Singh

Brijendra Pal Singh, Shri
Chakradhari Singh, Shri
Chandra Shekhar Singh, Shri
Chandrashekharappa, Shri T. V.
Chaturvedi, Shrimati Vidyawati
Chaudhary, Shri Manphool Singh
Chavan, Shri S. B.
Chennupati, Shrimati Vidya
Dalbir Singh, Shri
Das, Shri A. C.
Dennis, Shri N.
Dev, Shri Sontosh Mohan
Dhandapani, Shri C. T.
Dhote, Shri Jambuwant
Era Anbarasu, Shri
Gadgil, Shri V. N.
Gadhavi, Shri Bheravadan K.
Gaikwad, Shri Udaysingrao
Gamit, Shri Chhitubhai
Gandhi, Shri Rajiv
Gehlot, Shri Ashok
Ghufran Azam, Shri
Gireraj Singh, Shri
Gomango, Shri Giridhar
Gounder, Shri A. Senapathi
Gowda, Shri D. M. Putte
Jadeja, Shri Daulatsinhji
Jain, Shri Nihal Singh
Jain, Shri Virdhi Chander
Jamilur Rahman, Shri
Jena, Shri Chintamani
Jha, Shri Kamal Nath
Karma, Shri Laxman
Keyur Bhusan, Shri
Kidwai, Shrimati Mohsina
Krishna, Shri S. M.
Krishna Pratap Singh, Shri
Kuchan, Shri Gangadhar S.
Kunwar Ram, Shri
Kusuma Krishna Murthy, Shri
Lakkappa, Shri K.
Madhuri Singh, Shrimati
Mahajan, Shri Vikram

Mahendra Prasad, Shri
 Makwana, Shri Narsinh
 Mallick, Shri Lakshman
 Mallikarjun, Shri
 Mallu, Shri Anantha Ramulu
 Meena, Shri Ram Kumar
 Mehta, Dr. Mahipatray M.
 Mishra, Shri **Ram Nagina**
 Mishra, Shri Umakant
 Misra, Shri Harinatha
 Misra, Shri Nityananda
 Mohanty, Shri Brajamohan
 Mohite, Shri Yashawantrao
 More, Shri Ramkrishna
 Motilal Singh, Shri
 Murthy, Shri M. V. Chandrashekhar
 Murugian, Shri S.
 Muthu Kumaran, Shri R.
 Muttemwar, Shri Vilas
 Nagina Rai, Shri
 Naikar, Shri D. K.
 Nair, Shri B. K.
 Namgyal, Shri P.
 Netam, Shri Arvind
 Nikhra, Shri Rameshwar
 Panday, Shri Kedar
 Pandey, Shri Krishna Chandra
 Panigrahi, Shri Chintamani
 Pardhi, Shri Kesharao
 Parthasarathy, Shri P.
 Patel, Shri Shantubhai
 Patel, Shri Uttambhai H.
 Patil, Shri A. T.
 Patil, Shri Shivraj V.
 Patil, Shri Uttamrao
 Patil, Shri Vijay N.
 Patnaik, Shrimati Jayanti
 Pilot, Shri Rajesh
 Poojary, Shri Janardhana
 Potdukhe, Shri Shantaram
 Pushpa Devi Singh, Kumari
 Quadri, Shri S. T.
 Rahim, Shri A. A.

Raju, Shri P. V. G.
 Ram, Shri Ramswaroop
 Ramamurthy, Shri K.
 Ran Vir Singh, Shri
 Rane, Shrimati Sanyogita
 Rao, Shrimati B. Radhabai Ananda
 Rao, Shri M. S. Sanjeevi
 Raut, Shri Bhola
 Ravani, Shri Navin
 Reddi, Shri G. S.
 Reddi, Shri K. Obul
 Reddy, Shri M. Ram Gopal
 Reddy, Shri P. Venkata
 Saminuddin, Shri
 Sangma, Shri P. A.
 Satish Prasad Singh, Shri
 Satya Deo Singh, Prof.
 Sawant, Shri T. M.
 Sebastian, Shri S. A. Dorai
 Sethi, Shri Arjun
 Shaktawat, Prof. Nirmala Kumari
 Shankaranand, Shri B.
 Shanmugam, Shri P.
 Sharma, Shri Kali Charan
 Sharma, Shri Nand Kishore
 Sharma, Shri Nawal Kishore
 Shastri, Shri Dharam Dass
 Shiv Shankar, Shri P.
 Shukla, Shri Vidya Charan
 Sidnal, Shri S. B.
 Singh, Dr. B. N.
 Singh Deo, Shri K. P.
 Sinha, Shrimati Ramduluri
 Soren, Shri Hari Har
 Sparrow, Shri R. S.
 Sreenivasa Prasad, Shri V.
 Sukhadia, Shri Mohan Lal
 Sultanpuri, Shri Krishna Dutt
 Swami, Shri K. A.
 Tariq Anwar, Shri
 Tewary, Prof. K. K.
 Thorat, Shri Bhausaheb
 Tiwari, Shri Narayan Datt

Tytler, Shri Jagdish
 Vairale, Shri Madhusudan
 Varma, Shri Jai Ram
 Venkatasubbaiah, Shri P.
 Vijayaraghavan, Shri V. S.
 Virbhadra Singh, Shri
 Vyaa, Shri Girdhari Lal
 Wagh, Dr. Pratap
 Wasnik, Shri Balkrishna Ramchandra
 Yousuf, Shri Mohmed
 Zall Singh, Shri

NOES

Acharia, Shri Basudeb
 Balan, Shri A. K.
 Balanandan, Shri E.
 Barman, Shri Palas
 Basu, Shri Chitta
 Bhattacharyya, Shri Sushil
 Biswas, Shri Ajoy
 Chakraborty, Shri Satyasadhan
 Chatterjee, Shri Somnath
 Chaudhuri, Shri Tridib
 Choudhury, Shri Saifuddin
 Das, Shri R. P.
 Ghosh, Shri Niren
 Ghosh Goswami, Shrimati Bibha
 Giri, Shri Sudhir
 Gopalan, Shrimati Suseela
 Gupta, Shri Indrajit
 Halder, Shri Krishna Chandra
 Hannan Mollah, Shri
 Hasda, Shri Matilal
 Imbichibava, Shri E. K.
 Jatiya, Shri Satyanarayan
 Kadiyan, Shri P. K.
 Lawrence, Shri M. M.
 Mahata, Shri Chitta
 Maitra, Shri Sunil

Mandal, Shri Mukund
 Mandal, Shri Sanat Kumar
 Masudal Hoossain, Shri Syed
 Mhalgi, Shri R. K.
 Misra, Shri Satyagopal
 Modak, Shri Bijoy
 Mohammed Ismail, Shri
 Mukherjee, Shrimati Geeta
 Mukherjee, Shri Samar
 Pal, Prof. Rup Chand
 Parulekar, Shri Bapusaheb
 Pathak, Shri Ananda
 Rai, Shri M. Ramanna
 Rajan, Shri K. A.
 Rajda, Shri Ratankinh
 Riyan, Shri Baju Ban
 Roy, Dr. Saradish
 Roy Pradhan, Shri Amar
 Saha, Shri Ajit Kumar
 Saha, Shri Gadadhar
 Sen, Shri Subodh
 Shastri, Shri Ramavatar
 Shejwalkar, Shri N. K.
 Surya Narayan Singh, Shri
 Turkey, Shri Pius
 Unnikrishnan, Shri K. P.
 Varma, Shri Ravindra
 Yadav, Shri Vijay Kumar
 Zainal Abedin, Shri

MR. CHAIRMAN: Subject to correction, the result* of the division is: AYES 154; NOES 55.

The motion was adopted.

Clause 14 was added to the Bill.

Clause 1—(Short title, extent, Commencement and duration).

SHRI CHITTA BASU: I beg to move:

*The following Members also recorded their votes:

AYES: Shri Kartik Oraon and Shri Ramayan Rai;

NOES: Shri A. K. Roy and Shri Ajit Bag.

Page 1, line 3,—

for "Essential" substitute "public Utility" (6)

Page 1, line 10,—

for "at once" substitute "retrospectively from dated to be notified by the Government." (7)

Page 1, line 13,—

for "four years" substitute "one month" (8)

SHRI AJIT KUMAR SAHA: I beg to move:

Page 1, line 13,—

for "four years" substitute "four months" (133)

SHRI SOMNATH CHATTERJEE: I beg to move:

Page 1, lines 14 to 18,—

omit "except as respects things done or omitted to be done before such cesser of operation of this Act, and section 6 of the General Clauses Act, 1897, shall apply upon such cesser of operation of this Act as if it had then been repealed by a Central Act" (143)

SHRI SUDHIR GIRI: I beg to move:
Page 1, line 12,—

for "26th day of July, 1981" substitute—"day when the Emergency would be proclaimed under article 352 of the Constitution" (198)

SHRI AMAR ROY PRADHAN: I beg to move:

Page 1,—

after line 9, insert—

"Provided further that it shall not apply to a State whose legislature does not accept it by a reso-

lution adopted by the respective legislature." (285)

SHRI E. BALANANDAN: I beg to move:

Page 1, lines 14 to 18,—

omit "except as respects things done or omitted to be done before such cesser of operation of this Act, and section 6 of the General Clauses Act, 1897, shall apply upon such cesser of operation of this Act as if it had then been repealed by a Central Act." (406)

SHRI A. K. ROY: I beg to move:

Page 1,—

For lines 10 to 12, substitute—

"(3) Along with sections 8 and 9 the provisions of this Act shall be deemed to have come into force on the 28th day of July, 1981." (430)

Page 1, line 13,—

For "four years" substitute "one year" (431)

SHRI VIJAY KUMAR YADAV: I beg to move:

Page 1, line 10,—

For "Sections 8 and 9 shall come into force at once and the remaining" substitute "All the" (434)

Page 1, line 13,—

For "four years" substitute "sixty days" (435)

Page 1, line 14,—

After "Act" insert—

"is passed by at least two-third majority of both the Houses of Parliament and" (436)

2.29 hrs.

[MR. DEPUTY-SPEAKER in the Chair]

SHRI CHITTA BASU: 1(4) reads:

"It shall cease to have effect on the expiry of four years from the date on which this Act receives the assent of the President...."

Here I want to suggest "one month" in place of "four years". The reason is quite well known to you. You know the reason why I want to limit the time for this law only to one month, because it is atrocious, it is pernicious, it is anti-labour, it is anti-working class, it is anti-national, it is some kind of surrender and it is a jungle law. Therefore, it should be limited. We can tolerate it for some time. Since Shri Zail Singh has taken so much trouble to bring it before the House, we can allow him to have it for one month.

Sir, here is the question of lock-out and lay-off. This particular section of the Bill provides that Sections 8 and 9 shall come into force at once. 'At once' means from the date when the Bill was introduced. But, as we have, by this time understood, the lock-out and lay-off have caused immense loss of production in the past few years and as I have pointed out earlier, the lock-out has reached from 18 per cent to 42 per cent. So, many factories which have been locked out will not come within the purview of the Bill if it is given effect to at once, as has been mentioned in the Bill. Therefore, what I suggest is that it should have retrospective effect and the date of enforcement should be notified by the Government in an Extraordinary Gazette and for that, I offer my consultation with them and we can fix up the date from which this lock-out and lay-off can be declared illegal. Therefore, I have moved my amendments.

SHRI SUNIL MAITRA: Sir, this Bill will have effect presently for the coming four years. That means, assuming that this Bill will be passed by Friday and assuming that on Monday next it will receive President's assent, that means that the Bill will be in force

up to September 1985. That means, they are not going to saddle a future Government with the monstrosity of such a law. I would have understood had this enactment been co-terminus with their reign. But they have not done so. So, I oppose this term of four years, but since you have given some term, some life to this enactment, at best it should be allowed for four months, not beyond that. So, my amendment is for four months.

SHRI SOMNATH CHATTERJEE: Sir, I endorse my amendment.

MR. DEPUTY-SPEAKER: Mr. Sudhir Giri, you also endorse your amendment?

SHRI SUDHIR GIRI: Sir, the people of India are peace-loving, they want to live in peace and they want to produce the crops of country to live on.

Sir, this piece of legislation has been brought forth by the Government in order to suppress the desires of the people. I want that the provision of this Bill excepting clauses 8 and 9 should be enforced on the day when the Emergency will be proclaimed under Article 356 of our Constitution, and clauses 8 and 9 should come into force immediately. So, I have brought this amendment.

SHRI AMAR ROY PRADHAN: Mr. Deputy-Speaker, Sir, after the long discussion the cat is out of the bag. You will agree with me that there is no scope for the basic concept of conciliation, adjudication or arbitration in this Bill. There is only one scope. What is that? That is the lathi, goli, fine and jail—all these things—and all these are States subjects. So, Mr. Deputy-Speaker, Sir, in my amendment after line 9 I insert:—

"Provided further that it shall not apply to a State whose legislature does not accept it by a resolution adopted by the respective legislature."

About the Central-State relation I want to quote from the Statesman. It is not my personal view. It is not the view of the Left front. This Statesman is not of to-day or yesterday, but of July 1980.

"It is sufficient to mention that the Constitution of India is federal in form but unitary in content. In this set up financial and all other vital powers are concentrated in the Centre. As a result, the States have duties and responsibilities but no equivalent powers. Whatever little powers were provided in the Constitution by the Constitution makers, these have been snatched away during the last 30 years through Directives, Acts of Parliament, changes in the Constitution.

On the plea of a 'strong centre' the centre has systematically weakened the State and thus undermined the basic principle of Federal structure."

So just to keep alive the federal structure of India, I would request the Hon. Home Minister to accept my amendment:

Page 1,—

after line 9, insert—

"Provided further that it shall not apply to a State whose legislature does not accept it by a resolution adopted by the respective legislature." (285).

Let it be the option to the State. If the State Assembly by majority desires, this will apply to the State concerned, otherwise not.

SHRI E. BALANANDAN: I endorse my amendments.

SHRI A. K. ROY: I have two amendments. They are harmless and are very small. One is number 431.

Page 1, line 13,—

for "four years" substitute "one Year." (431)

My point is, theoretically this Government is to last for 3-1/2 years. There is also not only apprehension but a positive possibility of a mid-term poll. So, the Government which is theoretically to last for 3-1/2 years should pass Act for one year only.

Moreover, I want to repeat one logic to you. While extending reservations for the Scheduled Castes and the Scheduled Tribes, Shri Zail Singh told the House that we want for twenty years. We will extend for ten years, see the result and then again we may extend for another ten years. Therefore, my suggestion is that they should have for one year, see the result and then they may extend.

They cannot extend for four years when there is theoretical possibility of this Government to last for 3-1/2 years.

The second point—fine for them and fine for us. They have got everything. In this Ordinance they say Section 8&9 shall come into force at once and the remaining provisions will come into force from 28th day of July, 1981.

Perhaps you have seen that just after Mrs. Gandhi announced ban against the lock-outs, Century Rayon served notice and had lock-out two days after the P. M. suggested the inclusion of lock out within the operation when the workers raised the industrial dispute for wage increase.

Government is capable of making laws giving retrospective effect. The law could start operating at once. In emergency while amending the Election Law it was amended with retrospective effect. That is why I would like to propose that this Bill should also start operating from retrospective effect, with all its provision from 28th July.

श्री विजय कुमार यादव : मेरा भी यही स्थल है कि जब मजदूरों के खिलाफ लागू करने की बात कही जाती है तो 26 जुलाई

[श्री विजय कुमार यादव]

से लागू होगा, लेकिन जहाँ कारखानेदारों की बात जाती है वहाँ इस कानून के पास होने के बाद लागू करने की बात कहते हैं। इस तरह का जो भेद है इस को दूर किया जाना चाहिये और दोनों को एक ही तारीख से लागू किया जाना चाहिये, जब से यह आर्डिनेन्स निकाला गया है।

4 वर्षों के स्थान पर मैंने दिन रखा है। मैं चाहता हूँ कि 60 दिन रखा जाए। इस के अलावा जो सर्र प्वाइन्ट्स, वे कवर हो चुके हैं, इस लिये मैं उन की चर्चा नहीं कर रहा हूँ।

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI YOGENDRA MAHWANA): Sir, I cannot accept any of the amendments.

MR. DEPUTY-SPEAKER: Now, I put all the amendments moved to Clause 1 to vote.

Amendments Nos. 6, 7, 8, 133, 143, 285, 406, 430, 431, 434, 435 and 436 were put and negatived.

MR. DEPUTY-SPEAKER: The question is:

"That clause 1 stand part of the Bill".

The Lok Sabha was divided:

Division No. 37]

[20.45 hrs.

AYES

Ahmed, Shri Kamaluddin
Anuragi, Shri Godil Prasad
Appalanaidu, Shri S. R. A. S.
Arakal, Shri Xavier
Azad, Shri Bhagwat Jha
Azad, Shri Ghulam Nabi
Baleshwar Ram, Shri
Barot, Shri Maganbhai
Barway, Shri J. C.

Bhagwan Dev, Acharya
Bhakta, Shri Manoranjan
Bhol, Dr. Krupasindhu
Bhuria, Shri Dileep Singh
Brijendra Pal Singh, Shri
Chakradhari Singh, Shri
Chandra Shekhar Singh, Shri
Chandrashekharaappa, Shri T. V.
Chaturvedi, Shrimati Vidyawati
Chaudhary, Shri Manphool Singh
Chavan, Shri S. B.
Chennupati, Shrimati Vidya
Dalbir Singh, Shri
Dennis, Shri N.
Dev, Shri Sontosh Mohan
Dhandapani, Shri C. T.
Dhote, Shri Jambuwant
Era Anbarasu, Shri
Gadgil, Shri V. N.
Gadhavi, Shri Bheravada K.
Galkwad, Shri Udaysingrao
Garnit, Shri Chhitubhai
Gandhi, Shri Rajiv
Gehlot, Shri Ashok
Ghufram Azam, Shri
Gireraaj Singh, Shri
Gomango, Shri Giridhar
Gounder, Shri A. Senapathi
Gowda, Shri D. M. Putte
Gulsher Ahmed, Shri
Jadeja, Shri Daulatsinhji
Jain, Shri Nihal Singh
Jain, Shri Virdhi Chander
Jamilur Rahman, Shri
Jena, Shri Chintamani
Jha, Shri Kamal Nath
Karma, Shri Laxman
Keyur Bhushan, Shri
Kidwai, Shrimati Mohsina
Krishna, Shri S. M.
Krishna Pratap Singh, Shri
Kuchan, Shri Gangadhar S.

Kunwar Ram, Shri
 Kusuma, Krishna Murthy, Shri
 Lakkappa, Shri K.
 Madhuri Singh, Shrimati
 Mahajan, Shri Vikram
 Mahendra Prasad, Shri
 Makwana, Shri Narasinh
 Mallick, Shri Lakshman
 Mallikarjun, Shri
 Mallu, Shri Anantha Ramulu
 Meena, Shri Ram Kumar
 Mehta, Dr. Mahipatray M.
 Mishra, Shri Ram Nagina
 Mishra, Shri Umakant
 Misra, Shri Harinatha
 Misra, Shri Nityananda
 Mohanty, Shri Brajamohan
 Mohite, Shri Yashawantrao
 More, Shri Ramkrishna
 Motilal Singh, Shri
 Murthy, Shri M. V. Chandrashekhara
 Murugian, Shri S.
 Muthu Kumaran, Shri R.
 Muttemwar, Shri Vilas
 Nagina Rai, Shri
 Naikar, Shri D. K.
 Nair, Shri B. K.
 Namgyal, Shri P.
 Netam, Shri Arvind
 Nikhra, Shri Rameshwar
 Oraon, Shri Kartik
 Panday, Shri Kedar
 Pandey, Shri Krishna Chandra
 Panigrahi, Shri Chintamani
 Pardhi, Shri Kesharao
 Parthasarathy, Shri P.
 Patel, Shri Shantubhai
 Patel, Shri Uttambhai H.
 Patil, Shri A. T.
 Patil, Shri Shivraj V.
 Patil, Shri Uttamrao
 Patil, Shri Vijay N.

Patnaik, Shrimati Jayanti
 Pilot, Shri Rajesh
 Poojary, Shri Janardhana
 Potdukhe, Shri Shantaram
 Pushpa Devi Singh, Kumari
 Quadri, Shri S. T.
 Rahim, Shri A. A.
 Raju, Shri P. V. G.
 Ram, Shri Ramswaroop
 Ramamurthy, Shri K.
 Ran Vir Singh, Shri
 Rane, Shrimati Sanjogita
 Rao, Shrimati B. Radhabai Ananda
 Rao, Shri M. S. Sanjeevi
 Raut, Shri Bhola
 Ravani, Shri Navin
 Reddi, Shri G. S.
 Reddy, Shri K. Obul
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 Shakawat, Prof. Nirmala Kumari
 Shankaranand, Shri B.
 Shanmugam, Shri P.
 Sharma, Shri Kali Charan
 Sharma, Shri Nand Kishore
 Sharma, Shri Nawal Kishore
 Shastri, Shri Dharam Dass
 Shiv Shankar, Shri P.
 Shukla, Shri Vidya Charan
 Sindal, Shri S. B.
 Singh, Dr. B. N.
 Singh Deo, Shri K. P.
 Sinha, Shrimati Ramdulari

Soren, ^{Shri} Hari Har
 Sparrow, Shri R. S.
 Sreenivasa Prasad, Shri V.
 Sultanpuri, Shri Krishan Dutt
 Swami, Shri K. A.
 Tariq Anwar, Shri
 Tewary, Prof. K. K.
 Thorat, Shri Bhausaheb
 Tiwari, Shri Narayan Datt
 Tytler, Shri Jagdish
 Vairale, Shri Madhusudan
 Varma, Shri Jai Ram
 Venkatasubbaiah, Shri P.
 Vijayaraghavan, Shri V. S.
 Virbhadra Singh, Shri
 Vyas, Shri Girdhari Lal
 Wagh, Dr. Pratap
 Wasnik, Shri Balkrishna Ramchandra
 Yusuf, Shri Mohmed
 Zail Singh, Shri

NOES

Acharia, Shri Basudeb
 Balan, Shri A. K.
 Balanandan, Shri E.
 Barman, Shri Palas
 Basu, Shri Chitta
 Bhattacharyya, Shri Sushil
 Biswas, Shri Ajoy
 Chakraborty, Shri Satyasadhan
 Chatterjee, Shri Somnath
 Chaudhuri, Shri Tridib
 Choudhury, Shri Saifuddin
 Das, Shri R. P.
 - Ghosh, Shri Niren

Ghosh Goswami, Shrimati Bibha
 Giri, Shri Sudhir
 Gopalan, Shrimati Suseela
 Gupta, Shri Indrajit
 Halder, Shri Krishna Chandra
 Hannan Mollah, Shri
 Hasda, Shri Matilal
 Imbichibava, Shri E. K.
 Jatiya, Shri Satyanarayan
 Jha, Shri Bhogendra
 Kodiyan, Shri P. K.
 Lawrence, Shri M. M.
 Mahata, Shri Chitta
 Maitra, Shri Sunil
 Mandal, Shri Mukunda
 Mandal, Shri Sanat Kumar
 Masudal Hossain, Shri Syed
 Mhalgi, Shri R. K.
 Misra, Shri Satyagopal
 Modak, Shri Bijoy
 Mohammed Ismail, Shri
 Mukherjee, Shrimati Geeta
 Mukherjee, Shri Samar
 Pal, Prof. Rup Chand
 Parulekar, Shri Bapusaheb
 Pathak, Shri Ananda
 Rai, Shri M. Ramanna
 Rajan, Sri K. A.
 Rajda, Shri Ratansinh
 Riyan, Shri Baju Ban
 Roy, Dr. Saradish
 Roy Pradhan, Shri Amar
 Saha, Shri Ajit Kumar
 Saha, Shri Gadadhar
 Sen, Shri Subodh
 Shastri, Shri Ramavatar

Shejwalkar, Shri N. K.
 Suraj, Bhan, Shri
 Surya Narayan Singh, Shri
 Tirkey, Shri Pius
 Unnikrishnan, Shri K. P.
 Varma, Shri Ravindra
 Yadav, Shri Vijay Kumar
 Zainal Abedin, Shri

MR. DEPUTY-SPEAKER: Subject to correction the result* of the division is: Ayes 153; Noes 57.

The motion was adopted.

Clause 1 was added to the Bill.

MR. DEPUTY-SPEAKER: The question is:

"That the Enacting Formula stand part of the Bill."

The motion was adopted.

The Enacting Formula was added to the Bill.

LONG TITLE

SHRI CHITTA BASU: I beg to move:

Page 1,—

That in the Long Title—

for "essential" substitute "public utility." (5)

MR. DEPUTY-SPEAKER: I shall now put Amendment No. 5 moved by Shri Chitta Basu to the vote of the House.

Amendment No. 5 was put and negatived.

MR. DEPUTY-SPEAKER: Now the question is:

"That the Title stand part of the Bill".

The motion was adopted. 18

The Title was added to the Bill.

MR. DEPUTY-SPEAKER: The Minister may move that the Bill be passed.

THE MINISTER OF HOME AFFAIRS (SHRI ZAIL SINGH): I beg to move:

"That the Bill be passed."

MR. DEPUTY-SPEAKER: Third Reading.

Motion moved:

"That the Bill be passed."

Nine Hon. Members have given their names. When we compare it to 43, this number is less. Therefore, each Hon. Member shall not take more than 3 minutes.

Shri Niren Ghosh.

SHRI NIREN GHOSH (Dum Dum): Kindly listen to me and please do not interrupt me. It has been the ill-fated job of the Home Ministry to hold the still-born baby of the Cabinet and place it before the House. Why they have been given this dirty job? I think that Shrimati Gandhi herself should have piloted the Bill. Now, unless the Government goes berserk, it cannot bring such a Bill in a country like India. It may do so in South Africa. So, the moment the Ordinance was promulgated, lakhs and lakhs of people moved more and more away from the Government. It is true that Shrimati Gandhi realised this quickly and tried to do a balancing trick, a clumsy trick at that, on her part for the first time because she openly said that both lay-off and lock-out would be banned. But they can never ban

*The following Members also recorded their votes:

AYES: Shri A. C. Das and Shri Ramayan Rai.

NOES: Shri A. K. Roy and Shri Ajit Bag.

[Shri Niren Ghosh]
closure, whether the Supreme Court permits it or not, because their masters, the monopolists, Tatas and Birlas, will pull them down from the seat of power.

I will, from this forum, take this opportunity to appeal to the World Federation of Trade Unions and other international trade union organizations to come out openly and condemn this Bill. This is the least they can do for the working class of India. India is not just a wayside town; it is a vast country. So, when this is happening in India, not to opine on it, I think, would be a dereliction on their part.

MR. DEPUTY-SPEAKER: Mr. Ramavatar Shastri. This is the Third Reading. In the Third Reading, you can only say whether you are for or against.

SHRI NIREN GHOSH: I have not yet made my points. I will not speak for half an hour. I will speak for a few minutes.

This Bill has awakened more and more passive and slumbering sections of the working class people to political life. This is a byproduct which is beneficial to us. We have opposed this Bill inside the Chamber in our own way. We have moved amendments in our own way. But the working class and the people will move amendments in their own way; they will oppose it in their own way. They have already started doing so. The working class of West Bengal, Kerala and Bihar and the entire people have struck work and protested against this. That is a pointer, that is a call, to the working class and the entire people of India to prepare to have strikes in more and more States and to have an all India general strike.

MR. DEPUTY-SPEAKER: Mr. Ramavatar Shastri. You cannot make a general speech. This is the Third Reading. Shall I read the rule?

SHRI NIREN GHOSH: Do not interrupt me, please.

Already the workers are coming to know—it is a very good thing—who their real enemies are, who are the supporters of this Bill—the monopolists, the multinationals, the IMF, etc. This has become clear now, so who are our opponents? More and more the working class will come to know and open their eyes that this Government is a real enemy. That is a very good thing. You are awakening them and opening their eyes. You have become a negative feature in your own way. Now, history says that our opponents make great blunders. This is one of the blunders that this Government has committed and gives us the best opportunity. The Working Class to-day is in a state where more and more of their latent force will come into play as it has already come into play. More and more they will distinguish between the friends and the foes. More and more they will know that this is a reactionary Government of India, standing in the way of progress and advance....

MR. DEPUTY-SPEAKER: Mr Ghosh, you have got to conclude. I cannot allow.

SHRI NIREN GHOSH: I am concluding.

MR. DEPUTY-SPEAKER: You must conclude. The same repetition. You must obey the chair.

SHRI NIREN GHOSH: Within a minute I am concluding.

MR. DEPUTY-SPEAKER: I am not permitting. Don't record his speech.

SHRI NIREN GHOSH:

MR. DEPUTY-SPEAKER: You must obey the Chair; not a general discussion in the Third Reading. I am not allowing. Please don't record... I have been requesting you. How can I conduct the deliberations? Don't record anything of what he says. Mr. Shastri, you please get up and speak.

श्री रामवतार शास्त्री : मैं इस मजदूर विरोधी काले कानून का अपनी पूरी शक्ति के साथ विरोध करता हूँ। इस बिल के जरिये सरकार ने हिन्दुस्तान के मजदूरों के ऊपर, उनके आन्दोलन के ऊपर जोरदार और जर्बदस्त चोट की है। इस विधेयक के द्वारा सरकार ने प्रजातांत्रिक और ट्रेड यूनियन अधिकारों को छीनने का प्रयास किया है। भले ही आप अपने पाणविक बहुमत के बल पर इस बिल को पारित करवा लें लेकिन बाहर जनता के बीच में लाखों करोड़ों मजदूरों के बीच में ऐसा नहीं कर सकते अगर आप सचमुच में समझते हैं कि जनता आपके साथ है, मजदूर आपके साथ हैं तो क्यों नहीं आपने उनकी राय ली। चूंकि नहीं ला इसलिए साबित होता है कि आप मजदूरों से डरते हैं और मजदूरों ने फैसला कर लिया है कि आप जो भी जुल्म उन पर कर लें, जुल्म बहुत दिन चलता नहीं, सितम बहुत दिन तक चलता नहीं है। मजदूर तैयारी कर रहे हैं इस बिल की होली जलाने के लिए। इसे फाड़कर रहों की टोकरी में डालने के लिये। जिसका सबूत आपको 23 नवम्बर, 1981 को मिलेगा। तो जनता का विशाल ज्वार भाटा कौं तरह आन्दोलन उठने वाला है और उठ चुका है देश में जिसकी मिमाल आपको बंगाल, केरल और त्रिपुरा में मिल चुकी है और दूसरे राज्यों में भी मिल रही है। तो मैं आपको चेतावनी देता हूँ कि आखिरी समय में भी बुद्धि से काम लीजिये, दुबुद्धि से काम न लीजिए। हम लोग जब अंग्रेजों से आज़ादी की लड़ाई लड़ रहे थे तो क्या कहते थे। "सर फरोशी की तमन्ना अब हमारे दिल में है, देखना है जोर कितना बाजुएँ कातिल में है।" यही गाना गाते हुए हिन्दुस्तान के मजदूर सैना जंग में आपका मुकामला करेंगे।

3.00 hrs.

आपने धारा 8 और 9 के जरिये लोक आउट, तालाबन्दी पर रोक लगाने की बात कही है, ले श्रीफ पर रोक लगाने की बात कही है। अगर आप सचमुच में इन दोनों बातों को अमल में लाना चाहते हैं तो मैं आपका ध्यान बिहार काटन मिल्स लिमिटेड, फुलवारी शरीफ की ओर ले जाना चाहता हूँ जो 24 जुलाई से बन्द है, वहां लोक आउट है। और अभी हाल में प्रदीप लैम्प वर्क्स, पटना सिटी में लोक आउट किया गया है, सरकार का लाखों रुपये का उन पर बकाया है। आपका फायदा होने वाला है। आप इन दो छोटे कारखानों के मालिकों के हाथों में हथकड़ी डालते हैं कि नहीं, इस बिल से आपकी मन्शा का पता चल जायगा। तो अगर आप सचमुच में इस विधेयक को लागू करना चाहते हैं तो दोनों कारखानों को जल्दी खुलवाइये। अगर नहीं खुलवा सकते हैं तो उनको पटना जेल में बन्द करके रखिये। इन शब्दों के साथ मैं फिर जोरदार शब्दों में इस विधेयक का विरोध करता हूँ और आपको चुनौती देता हूँ कि मजदूर रहेंगे या आप रहेंगे इसका फैसला हो जायेगा।

SHRI SUNIL MAITRA: Sir, it is not difficult to visualise what will happen after the passage of this Bill. Between this session and the next one, the Government is going to come out with another Ordinance impounding the Dearness Allowance. Already the Bureau of Public Enterprises has kept itself ready with the draft of a circular to be issued to all the public sector enterprises for binding them even to open negotiation on wage increase.

In the month of July alone, the working class consumers price index with base year 1960 has registered an eight point rise. It is an all-India average. If anyone keeps track of the

(Shri Sunil Maitra)

economic development in the country, specially, on the economic, fiscal and monetary fronts, he is absolutely sure that in the month of August the consumer price index was going to register an increase of between 10 and 12 points. That means the price index will go up on the one hand and on the other you are going to deprive the employees of the dearness allowance. They assert that it is necessary for them to come out with this Bill. Let me also tell them one thing. Let me caution them. By this you are only closing the options for the ordinary people even for survival. Today a situation is developing when the very thin line of demarcation between death and survival is vanishing. And one of the last option today you are going to close down to the working people through the passage of his Bill. Sir, when the people will be convinced that there is no option left for them even to survive then remember as I told you at the stage of introduction the story of the cat. Have you seen a cat? It is a very timid and domesticated creature. But you detain a cat in a room and close the doors and windows and start beating the cat then you will find the cat is going to jump to your throat and tear you apart. You are playing with fire. Don't turn this peace-loving working class, those who are cats today, into tigers and if they became tigers then you yourselves will have to be blamed and nobody else.

श्री नगोना राय (गोपालगंज) :

उपाध्यक्ष महोदय, जो एसेन्शियल सर्विसेज बिल सदन के सामने आया है, मैं उसका समर्थन करने के लिये खड़ा हुआ हूँ। आज देश की जो हालत है, वह सब को मालूम है। आज भारत की जनता ने श्रीमती गांधी को इस भरोसे के गांधी गद्दी पर बैठाया है कि फिर से अमन

होगा, शांति होगी, इस देश में उत्पादन बढ़ेगा, इन्फ्लेशन नहीं होगा।

जो आज उत्पादन में बाधा कर रहे हैं, उनसे निबटने के लिये यह बिल आवश्यक है। जो आज देहातों में अनुचित तौर पर जाने देना नहीं चाहते हैं, आज सरकार को बड़ी फर्म, मजदूरों के साथ उनमें डील करना होगा।

न कसीदे से चलती है, न दोहे से चलती है।
कारे सलतनत तो, लोहे से चलती है।

इनके साथ आयरन हैंड से डोल कर के देश में एसेन्शियल सर्विसेज को कायम करना होगा। भारत की जनता आज इंदिरा जी की ओर ताक रही है, उन्हें रोटी चाहिये, बिजली और पानी चाहिये। जो हिम्मत कर के यह लोग कहते हैं, यह मैदान में चलकर जनता के बीच में कहेंगे कि तुम्हें यह चीजें देंगे?

(अवधान)

इसलिए उपाध्यक्ष महोदय मैं कहना चाहता हूँ, तुलसीदास जी ने कहा था—

जो नहीं दंड देउ खल तोरा,
अष्ट होय श्रुति मारग मोरा।

जब तक यह दंडित ही होंगे, इनके काले कारनामों के सामने नहीं आर्येंगे, ये मजदूरों के पसीने की कमाई खाते हैं, उनके टुकड़ों को ये हड़पते हैं, इससे देश का उत्पादन नहीं बढ़ सकता है। इसलिए धिक्कार है कि ये मजदूरों का पैसा खाते हैं, अब इनकी दलाली बन्द होने वाली है, इससे ये घबड़ाये हुए हैं।

SHRI SATYASADHAN CHAKRABORTY (Calcutta South): Mr. Deputy Speaker, Sir, the die is already cast. We know what is going to be the fate of the Bill. With the majority the ruling party commands in this House this Bill is going to be passed. But then I expected that the ruling party at least will pay some heed to the voice of reason. I do not understand why they are in a hurry to get this type of Bill passed by the Parliament. Hon. Home Minister, Shri Zail Singh, has said that either it is to restore economic health or to maintain it that this law is necessary. I am in favour of restoring or maintaining the economic health of the country. May I point out that even in the Plan Document and in our Economic Survey nowhere it is mentioned that the reason of our economic ill health lies in the failure of the working class to cooperate? What has been said in the 6th Plan and also in the Economic Survey is this, that our economy is suffering due to certain evils and certain infrastructural deficiencies and other reasons. But nowhere the working class is accused of not cooperating or not doing their part. But unfortunately we find here the failure of the ruling party, the failure of successive Governments after independence to eradicate poverty, illiteracy and ill health, in this country, is being sought to be covered up by accusing the working class and making the working class responsible for all the ills. The more the economic crisis becomes acute the more they will be accusing the whipping boy, the working class. This is really most unfortunate. Actually they should have supplied the reasons why this Bill is necessary. They are only proceeding on the basis of subjective assessments but not on the basis of objective facts.

Mr. Deputy Speaker, my next point is this. With this majority it will be possible for them to pass this Bill. But may I ask you one thing? If you really want to do away with poverty, unemployment and all that do you think that simply by commanding the working class you will be able to get things done? Nowhere in history you

will see this. I can quote from the speeches of the leaders of your own party like Dr. Radhakrishnan; the wise statesman said that democracy means that you sit together, you discuss the matter and you arrive at the conclusion. But you do not sit with the working class and discuss. You hit the working class; you are not inviting them to sit, to discuss and arrive at conclusions. Mr. Zail Singh our Home Minister was talking of the poor people. He spoke about the people in the Public Sector and he said that they are getting enough. Why you are not thinking about the unemployed people who are below the poverty line? He says to the employed all right. Regarding these unemployed people, you go to them and say, 'Be happy that at least you are living even; we are working for the unborn' and then you go for Family Planning. Your whole programme is Family Planning and nothing else. If you don't come to the help of working class and the people who are unemployed you will not be able to solve the problem. There are these downtrodden and unemployed people. Why don't you go to the rich people and the big landlords and industrialists and tell them, at least you surrender a part of your money, and spend the money for the downtrodden?

Finally I would say this. The Home Minister was saying that he has come from a humble peasant family and he has worked with his own hands. Humble peasant family. I agree. I appreciate. And he accused Mr. Somnath Chatterjee that he came from affluent family and asked how you are able to understand all these things and so you cannot work for the poor people. I agree they have differences. I also agree they have differences. I also agree that they have some similarities. Both of you have betrayed. Mr. Zail Singh has betrayed his own class and Mr. Somnath Chatterjee has betrayed his own class! With these words I conclude.

SHRIMATI GEETA MUKHERJEE (Panskura): Sir, I oppose the Bill, not

[Smt. Geeta Mukherjee]

with these adjectives used earlier though I subscribe to those but I oppose this Bill with an additional adjective that this is a black act of utter betrayal of the working class by the ruling party. Why I say that? I may recall today's morning debate as also the debates of the last few days. What has the ruling party claimed? They have claimed that the production is increasing. They claimed that the infrastructural difficulties are being solved. By whom is the production increased? Is it by Gyani Zail Singh or by the workers, it is by Mr. Stephen or the workers?

SHRI SOMNATH CHATTERJEE: They are working in spite of Mr. Stephen.

SHRIMATI GEETA MUKHERJEE: If there is an iota of truth, I would like to ask them who are responsible for increasing the production? Is this the reward given to the working class who have helped you at all times? Or is it that your claims are bogus and that is why this Bill is being brought as the second line of defence? I would like to tell you one thing. I am not a trade union leader. But during the course of my experience in Parliament, as a Member of the Public Undertakings Committee, last year, I visited Madras Fertiliser Company in the public sector. The hon. Minister, Shri Sethi, referred to this public undertakings in glowing terms only today. In the printed paper that the company gave us, I saw that in one of the years the number of mandays lost was more than that of its previous year. But as far as the production is concerned, I found that the year in which the man-days lost was more showed with more production. My hon. friend, Mr. Krishna will bear me out. In reply to my query as to the cause the management said that because the workers were happier next year as certain long standing grievances were removed, the workers produced much more after proper settlement was reached following a strike. This is the experience. That is why I say that the workers cannot be made to produce

more for all time to come when they are threatened, when they are insulted when they are injured and kept in starvation. They cannot be made to produce more when they are threatened by all sorts of victimization. Incidentally so blind is the mind of the ruling party's protagonists—Where is Shri Gyani Zail Singh? I do not see him now. This hon. Minister has no courtesy even to listen to what is being expressed in the House. He was in such a sweet dream. Then suddenly he sprang up and recalled his young flame, Geeta Bali. I do not know whether he imagined himself to be Shami Kapoor. Otherwise, I am an ordinary middle-aged woman, surely he was not thinking of me. Now, in this context, I can tell the story of Al Naskar. You must have heard the story of Al Naskar. Al Naskar, in his sweet dream, thought of how he would beat his wife, and how he would win the day. He was totally ignorant at that time that while thinking that he was beating his wife, he was hitting the earthen pots which were his only belongings. After he woke up, he found that the pots had been broken.

I want to say that by bringing this Bill the hon. Minister has revealed himself as Gyani Dara Singh, fighting the working class that way. I say he will land himself with the smashing up of things in the manner of Al Naskar's dream.

This is not the way that the working class can be tackled. They will show you that day—dreaming will not help. If giving incitement to a strike for a justified cause is a crime, I will take pride in committing the crime not once or twice, but a thousand times. If giving help to starving workers on strike is a crime for a woman, I say that our entire womanhood will come to the fore for committing that crime. They will never forget India's tradition of helping the needy. That is why I say: neither the working class nor the peasants can be taken for a ride.

There is still time. If he wants let him see the writing on the wall, and even at this very late hour, turn away.

श्री सत्य नारायण जाटिया : उपाध्यक्ष महोदय, आवश्यक सेवा विधेयक लाते हुए हमारे गृह मंत्री जी ने कहा कि बर्ध-व्यवस्था पर प्रतिकूल प्रभाव पड़ने वाला है, सामान्य जीवन को अस्त-व्यस्त होने से बचाना है और राष्ट्र की भलाई, जनकल्याण के लिये, अनुशासन लाने के लिए वह इस विधेयक को लाए है। मैं पूछना चाहता हूँ कि क्या जन-कल्याण का विषय श्रम कल्याण से सम्बन्धित नहीं है? क्या श्रमिकों का अहित कर के वह कानूनी सा जन-कल्याण करना चाहते हैं यह वह बताना पसंद करेंगे? फिर इस में आगे कहा गया है कि हड़ताल अवैध घोषित करना ही नहीं, अपितु, ओवर-टाइम को भी करने के लिए किसी भी श्रमिक अथवा कर्मचारी को बाध्य किया जायगा। क्या हम फिर गुलामी के दिनों में जा रहे हैं? हिन्दुस्तान को आजाद हुए कितने साल हुए? उन सालों से पीछे हिन्दुस्तान की जनता मंजूर करेगी क्यों? मैं जानी जेल सिंह से पूछना चाहूँगा कि इस प्रकार के निर्णय जो उन्होंने लिए हैं, हो सकता है कि अभी वह हकूमत में है लेकिन इस का मतलब यह नहीं कि जनता के हकूक के साथ कोई खिलवाड़ वह करे और इसलिए श्रमिकों के साथ, महेनतकों के साथ, जो राज महेनत मशकत कर के अपनी जिन्दगी का गुजारा करते हैं उन के साथ खिलवाड़ करे इस की इजाजत नहीं दी जा सकती। यह जो कानून वह लाए हैं, मंरा कहना यह है कि अभी तक बहुत से कानून वह लाए हैं, लेकिन आप विधेयकों और कानूनों से क्या हिन्दुस्तान को सुधार सकते हैं? आप अनेक विधेयक लाए हैं लेकिन उन अनेक कानूनों को बनाने का प्रभाव जो हुआ है वह सारे देश को पता है। जो जो कानून आप लाए हैं उस के बिलकुल विपरीत प्रभाव उस का पड़ा है। आप भ्रष्टाचार को खत्म करना चाहते थे, भ्रष्टाचार और बढ़ा है। आप ब्लैक मनी को खत्म करना चाहते थे, वह ब्लैक मनी बढ़ी है। आप पूँजीपतियों को समाप्त करना चाहते थे, पूँजीपति बढ़े हैं और गरीब और गरीब होते गए हैं।

इसलिए इन्सानों के हक और हकूक के साथ किए गए इसे अन्याय और अत्याचार का एक सबक सिखाने के लिए आगे आने वाला समय तैयार होगा। यह काला कानून जो मजदूरों के लिए लाया गया है उस के लिए मजदूर यह कह रहे हैं कि—

ओ ए हुनरगर हुनर आजमाए।

तो तू तीर आजमा हम ज़िगर आजमाएँ।

इसलिए यह जो काला कानून है इस सारे काले कानून का विरोध करते हुए मैं यह भी कहना चाहता हूँ, जानी जी कहते हैं कि हम तो बड़ी भलाई के लिए यह करना चाहते हैं, लेकिन जिस रास्ते पर वह जाने के लिए तैयार नहीं हैं, जिस पर वह जाना नहीं चाहते हैं फिर उस रास्ते को बनाने की जरूरत क्या थी? इस का मतलब यह है कि इरादे कहीं न कहीं नापाक हैं, कहीं न कहीं बात ठीक नहीं है और लगता है कि जो वह सारी पुरानी बातें हैं उस सारे इतिहास को दोहराने के लिए आप तत्पर हैं। अगर आप उस को दोहराना चाहते हैं तो मैं कहना चाहूँगा कि यह सारा काला कानून ऐसी तानाशाही हकूमत के जनाजे पर लगने वाली आखीरी कील की तरह होगा जो हिन्दुस्तान की जनता को और महेनतकों को बेबस और मजबूर बना देना चाहता है। इतना कह कर मैं इस बिल का विरोध करता हूँ।

SHRI AMAR ROY PRADHAN (Cooch Behar): I rise to oppose this black Bill. Before I proceed further I would like to draw your attention to the Jallianwala Bag Ardh Shatabdi which was published by the Government. I would like to read out some portion for the information of the House. It says as follows:

"In World War (1914-18) India helped Britain with men, material and money. As a reward for this help and relying on British assurances and declarations including the stress on self-determination in the

[Shri Amar Roy Pradhan]

allied war aims the Indian people and their leaders were expecting fulfilment of their aspirations for Government. The emergency being over, everyone thought the odious Defence of India Act would be just taken off the statute book. What they actually got was a more repressive and more hideous Act put on the statute book."

This is the Rowlatt Bill which was initiated by the British Government against the freedom fighters. I think the hon. Deputy Speaker will agree with me that this Essential Services Maintenance Bill, 1981 is a replica of the Rowlatt Bill.

The people had cast their votes in 1980 general elections in favour of the Congress I and the Congress I being the Ruling Party have now brought forward this Bill just like Rowlatt Bill which was brought forward by the Britishers.

I oppose this draconian black Bill, anti-labour, anti-people and anti-national Bill. You are in the dreamland; you are now in power; you do not think of the common people now.

You are going to impound the three instalments of D.A. due to the Central Government employees. Just to check all these things, you have brought forward this Bill. But the people, the working class will not tolerate all these things.

In the House by your brutal majority you will pass this Bill but outside they will oppose this Bill, fight against this Bill tooth and nail. Therefore, I would like to oppose this Bill once again.

श्री अंस सिंह : डिप्टी स्पीकर साहब, आनरेबल मेम्बर साहबान ने वहीं बातें कहीं जो वे पहले कह चुके थे, लेकिन इतना फर्क था कि नीरजे घोष साहब के बाद बड़े जोश में सभी लोग बोले हैं, उंची आवाज में बोले हैं, अपनी ओरेंटेरी का

रॉब भी दिखा रहे हैं कि हम मेदान-जंग में देखेंगे, जनता हमारे साथ जायेगी। नीरजे घोष साहब यह भी कहते हैं कि मैं मजदूरों से अपील करता हूँ कि वह उठें। इस का मतलब है कि इन्स्टीगेटर आप ही हैं, आप मजदूरों से क्यों अपील करते हैं—आप खुद आइये और देखिये आप खुद अदाम के साथ कहाँ तक जा सकते हैं या नहीं जा सकते हैं... (व्यवधान)... इस का निबटारा जनता करेगी कि कौन गरीबों का हिमायती है और कौन दूसरों का हिमायती है।

आज भी हिन्दुस्तान में 48 फीसदी गरीबी की रेखा के नीचे रहने वाले लोग हैं, जिन के पास... (व्यवधान)... क्या कुर्सी में काँटे लगे हुए हैं जो बार-बार उठते हैं? मैंने आप का बड़ा अदब किया, मत्कार किया और उस के बदले हम ने सुन लिया जो कुछ आप ने कहा। अब सब कीजिये और मेरी बात को सुनिये।... (व्यवधान)... आप बैठ जाइये, क्यों बोलते हैं? पार्लिक में जा कर जोर लगा लें। आप की इस दफा भी 6 तकरीरें हो चुकी हैं। 6 तकरीरें सुनने के बाद भी मैं मीठी ज़बान में कह रहा हूँ, फिर भी आप बरदाश्त नहीं कर सकते हैं।

डिप्टी स्पीकर साहब, मैं आपको मार-फट इन को कहना चाहता हूँ—आप अपने एटीचड को बदलिए। आर्गेनाइज्ड मैक्टर में जिन को खाने के लिये नहीं मिलता है, थोड़ा मिलता है उनके लिये कुछ करना चाहिए, मैं इस बात को मानता हूँ। उनकी डिमाण्ड्स माननी चाहिए, उनको हक मिलना चाहिये, लेकिन एक ही बात अगर जरूरत पड़े तो उन को कहना चाहिए कि आप काम नहीं छोड़ सकते हैं। इस से ज्यादा इस बिल में कुछ नहीं है। लेकिन इस के बाद भी यह देखना होगा कि आप किनकी मदद कर रहे हैं—जिन के पास रोटी है, कपड़ा है उनको मदद कर रहे हैं या उन लोगों को मदद करना चाहते हैं जो जमीन पर सोते हैं, आम्रान की छत है, पहनने को कपड़ा नहीं है, खाने को रोटी नहीं है, बीमारों के लिये दवा नहीं मिलती है, एक्जेशन के साधन नहीं हैं। वे लोग जो असलियत में गरीब हैं—उनके लिये

आप ने कभी आवाज नहीं उठाई । . . .
(व्यवधान) . . .

मुझे हैरानी होती है जब मेरे सत्कार योग्य मित्र श्री इन्द्रजीत गुप्त भी इस असलियत को भूल गये थे । श्रीमान जी, ये भूल गये थे, इन्होंने लेंडलसे एग्री-कल्चर लेंबर के लिये कभी आवाज नहीं उठाई । लेकिन हम ने उनको मकान दिये, बाण्डेड लेंबर को खर्च करने का हम ने इन्तजाम किया, स्माल और मार्जि-क्ल फार्मर्स के लिए एजेन्सी मूकरीरर को गई—यह सब काम हम ने 20 प्वाइन्ट प्रोग्राम में किये, जिसको इन्होंने भी माना । हम इन के मशकूर हैं, ये हमारे दोस्त रहे हैं जितनी देर जनता का राज नहीं हुआ तब तक ये हमारे दोस्त रहे । हमारे पुराने दोस्त हैं । मुझे मालूम है अब भी जब जनता के सामने असली प्रोग्राम आयेगा, इन्कलाब का प्रोग्राम आयेगा, तो ये हमारा साथ देंगे । इन्कलाब कहाँ रहता है—आर्गेनाइज्ड सेक्टर में नहीं रहता है, मफनिसों के सियाह-खानों में गरीबों की भेपड़ियों में जहाँ रोशनी नहीं है, जहाँ पूरा खाना नहीं मिलता, जहाँ आंसूओं के चिराग बहने हैं, जहाँ वे गरीब सबूह पिकनते हैं अपने बच्चों को प्यार नहीं दे पाते क्योंकि वे मांगे होते हैं, शाम को जिन वक्त लाटते हैं उस वक्त तक बच्चे सो जाते हैं, उन के पास कोई कमरा नहीं होता, डाक्टरों का कोई इन्तजाम नहीं होता, उनके पास रोजगार नहीं होता, उनकी तरफ भी हम का देखना पड़ेगा ।

... (व्यवधान) . . .

शरीफ आदमी हो कर बैठ कर क्यों बोलते हैं ।

श्री इन्द्रजीत गुप्त : 34 वर्षों से राज कर रहे हैं अब इन लोगों के लिये आप की आंखों में आंसू पिकल रहे हैं ? 34 वर्षों तक क्या किया ?

श्री जैलसिंह : इन्द्रजीत जी, यह बात ममर मुखर्जी साहब को कहने दीजिये, आप न कहिये । आप तो 1977 तक हमारे दोस्त रहे हैं, हमारे प्रोग्राम को मानते रहे हैं ।

श्री इन्द्रजीत गुप्त : गरीबों का ठेका आपकी पार्टी ने ले रखा है ?

श्री जैलसिंह : मैं अपने दोस्त का बड़ा आदर करता हूँ । मैं इनको मजदूरी को समझता हूँ । वह चाहते हैं कि सी. पी. एम. वाले इनका एतबार कर लें । इसलिए वह हमारे साथ नहीं हैं ।

मूफनिसों के सियाखानों में
आंसूओं के चिराग जलते हैं ।

इन आंसूओं की फिलिमिलाहट में
सैकड़ों इन्कलाब पलते हैं ।

आपने इन्कलाब देखा नहीं है । हम ला कर दिखा देंगे । रोमावतार शास्त्री जी बड़े जोर से बोले थे । उनकी छोटी सी जिन्दगी है । काफी बूझा है । मैं नहीं चाहता था कि वह इतने गुस्से में आएँ । मैं प्रार्थना कर रहा था कि भगवान उनको तपदूरस्ती से बैठने का मौका दे । मुझे ख़शी है वह बैठ गए । क्या धमकी उन्होंने दी है ? कहा कि देखिये हम क्या करके दिखाते हैं ? तूफान उठाएंगे । कहाँ उठाएंगे ? जब लोगों को एक्केट किया जाएगा, उनको बताया जाएगा कि ये सिर्फ राज लेने के लिए, सरकारों दफ्तरों में काम करने वाले, रेलों में काम करने वाले जो लोग हैं उन के ऊपर अपने सैल बनाना चाहते हैं तब पर्दाफाश हो जाएंगे । इस तरह से ये आना चाहते हैं । लोगों ने इनको वोट तो देना नहीं है । वे हिन्दुस्तान में बरबादी का इन्कलाब लाना चाहते हैं । हमारे दफ्तरों से आप रिपोर्ट लेना चाहते हैं, हर रोज सरकारी अफसरों के साथ मेलजोल आप बढ़ा रहे हैं, मेल-जोल उनके साथ बनाए रखना चाहते हैं, आप उनके साथ मिले हुए हैं, हम सब जानते हैं कि आप इन्कलाब जनता के लिए नहीं लाना चाहते हैं बल्कि अपनी पार्टी के लिए लाना चाहते हैं, अवाम के लिए लाना नहीं चाहते हैं और इन सब बातों को हम जनता के पास ले कर जाएंगे । आप की ध्युरैटिकल बातें हैं । गरीबों के हिमायती कौन हैं ? ये तो गरीबों को धोखा दे कर अमीरों को हिमायत करते हैं । तेजी के साथ उस सैक्शन में आए हैं जो मजदूरों की हड़ताल कराना चाहते हैं । ये मजदूरों

[श्री जैल सिंह]

के जनसे पसन्द नहीं करते हैं, जलूस पसन्द नहीं करते हैं, गेट मीटिंगों पर राजी नहीं नहीं होते हैं। इनको खूबी तब होती है जब मजदूर हड़ताल करें। हड़ताल करवा कर क्या आप मजदूरों का भला करते हैं? हड़ताल आप इसलिए कराना चाहते हैं कि आप मालिकों के साथ मिल सकें और उनसे पैसा ले सकें। हम बताएंगे आपको। आपको पता चलेगा (अवधान) उन्नी मृग्वान जी आप की तो राय से एमरजेंसी लगी थी। आप तो हमारे दोस्त थे। दोस्ती तोड़नी हो तो खबरती के साथ तोड़नी चाहिये ताकि फिर भी एक आदमी दूसरे के काम आ सके।

चटर्जी साहब बड़े अच्छे लायर हैं। उन्होंने बहुत सुन्दर तरीके से अपना केस पेश किया है, दायरे में रह कर सभी बातें कहीं हैं। उनको शिकायत थी कि हम उनका जवाब नहीं देते। आज मरे दोस्तों ने उनके बातों का जवाब दे दिया है। मैंने पहले रोज कहा था कि लडाईं पालिटिकल है। लडाईं मजदूरों के लिये नहीं है। यह लडाईं कॉन्स्टीट्यूशनल नहीं है। यह लडाईं राजनीतिक है। राजनीतिक मैदान आपके पांव के नीचे में बिखार रहा है, जा रहा है, आपके पांवों के नीचे में जमीन बिसक रही है। यह इनकी लावी टिल है। मैं दावे के साथ कहना हूँ कि हिन्दुस्तान की पैदावार बढ़ेगी तो बढ़ती हई पैदावार को गरीबों पर खर्च किया जाएगा, गरीबों की भलाई के लिए खर्च किया जाएगा, बे-रोजगारों को रोजगार देने पर खर्च किया जाएगा। बढ़ती हई आदमदानी में अमीरों को अमीर नहीं किया जाएगा। हम अमीरों के साथ नहीं हैं। उनकी हमने कभी हिमायत नहीं की है और न कर सकते हैं। जिन्दगी में कभी नहीं की है। आप लोग शायद अंग्रेजों के साथ नष्ट हों। हमने जिन्दगी में अमीरों के खिलाफ, गजाओं के खिलाफ लडाईं की है, लगातार पांच साल में जेल में रहा हूँ। मिला राजा था। अस्सी प्रतिशत वहाँ जनता थी। उस राजा के खिलाफ लडाईं हूँ। जीत कर आया हूँ। इंडिपेंडेंट गुप्त जी के साथी मरे साथ थे। उनकी मदद से लडाईं हूँ।

आज भी मैं कहता हूँ कि पसंद नहीं चलने दिया जाएगा हिन्दुस्तान में निप-

टारा बाज होना है और पता लगाना है कि गरीबों का हिमायती कौन है? कौन गरीबों का नाम लेता है और जैसे मंदिर में बैठा पूजारी भगवान के नाम पर, मूर्ति के नाम पर दालत इकट्ठी करने का यत्न करता है उसी तरह से मजदूरों का नाम ले कर उनकी दालत से कौन फायदा उठाता है, यह पता चले जाएगा। मजदूरों का लाउड स्पीकर, उसके हाथों का बना हुआ दफ्तर, मजदूर का इस्तहार, मजदूर का स्ट्रेंज, उसकी दरियां, मुनादी मजदूर करें और सब कुछ हाँ जाने के बाद तकरीर इनकी हो जाए कि हड़ताल कर दो, ऐसा कहीं होता है दुनियां में? इस चीज को चलने नहीं दिया जाएगा।

एक मंत्री ने कहा कि रेलों में ऐसा कर दिया, एकमीडेंट करवा दिए। क्या बड़ी अच्छी बात की, नकी की बात की? रेल बन्द कर दो, हवाई जहाज बन्द कर दो, विजली बन्द कर दो, पानी बन्द कर दो, करवाने बन्द कर दो, क्या यह अच्छी बात है? बहुत जोर से कहा गया कि त्रिपुरा ने, वैस्ट बंगाल ने, कोरल ने दिखा दिया है। क्या दिखा दिया है? वहाँ की सरकारों ने तमाम झुमा रचा था और रच कर दिखा दिया है। ठीक है, उनको रचना चाहिये था। आपको तकरीर करने का मौका मिलना चाहिये था। मजदूरों को भडकाने का मौका मिलना चाहिये था। अब निण्टारा हांगा मजदूर के साथ, गरीब के साथ कौन है और खाते पीते, मांते जागते, जिन्दगी के मारे मूख भोगने वाले लोगों के साथ कौन है। सब पता चल जाएगा। हिन्दुस्तान में अमीर मूट्टी भर है, पांच परसेंट है और 95 परसेंट वकिंग क्ल्यास है। उसको रोजगार नहीं मिला है, रेलों में उनकी भरती नहीं हुई है, हवाई जहाजों में नहीं हुई है। बिजली का काम वे नहीं चलाते हैं, एटमिक शक्ति का काम नहीं करते हैं, पेट्रोलियम का काम नहीं करते हैं। उनको कोई मौका नहीं मिलता है। उनके लिए हम को सोचना है। रामावतार शास्त्री जी, आपके और हमारे दिशाने में फर्क है। आप उनके नाम पर लीडरी चमकाया चाहते हैं, हम उनका भला करेंगे। अमीर से दालत छीन कर तरीके से, कानून से

गरीबों को दंगे। यह हमारा निशाना है। इस निशाने की पूर्ति के लिए हम को ऐसे बिल की जरूरत थी।

मैं फिर प्रार्थना करता हूँ। आज आप लड़ाई के मैदान में हैं। दुनिया में एक उसूल है, एक्वीथिंग इज फेयर, इन लव एंड वार। मेरे बज्रगर्ज नेता गौर करें। वह दिल के बड़े साफ हैं। उन्होंने बिलकुल कोई बात छिपाई नहीं है। कम से कम जो मजदूर के हिमायती हैं, उनको बूला कर आप बात कीजिये। उनके साथ बात करने के बाद हमारे साथ बैठ कर बात कीजिये। दो दिन तीन दिन, चार दिन कीजिये। फिर कुछ ऐसे लांग दूला लें जो मजदूरों के दुश्मन न हों, जो सही बात समझते हों। उनके सामने बैठ जाइये और बात कर लीजिये। या फिर दूसरी बात कीजिये। ईमानदारी से कहिये कि यह जो सिस्टम आफ गवर्नमेंट है यह बदलना चाहिये, हिन्दुस्तान का आईना बदलना चाहिये, बन पाटी रूला होनी चाहिए, कोई जखबार नहीं निकलना चाहिए, कोई कैंडीडेट अपने आप खड़ा न हो सके और जैसे सोशलिस्ट कट्टीज में हैं वैसे यहां भी कर दीजिये। क्या कभी आपने कहा है कि हिन्दुस्तान में सोशलिस्टिक डेमोक्रेसी चाहिये। आप हमेशा कहते हैं डेमोक्रेसी चाहिये। डेमोक्रेसी के जरिये तुफान खड़ा करके, बरबाद करके आप इनक्लाब लाना चाहते हैं और फिर आप कहेंगे कि हम तो जमीर आदमी को मार कर बर्किंग क्लास के लिए यह सब कुछ करना चाहते हैं। हम जानते हैं किस बात का आपको इंतजार है। वह चीज हम खुद ही ला देंगे। आप जरा बैठ कर शांति से सोच लीजिये। रुक नहीं सकता, इनक्लाब तो आयेगा, रुक नहीं सकता। लेकिन आपके गेट पर नहीं आयेगा, आप दरवाजा खुला रखिये या न रखिये। हिन्दुस्तान के लोग सेंटिमेंटल हैं, आप हिन्दुस्तान के सेंटिमेंटल के खिलाफ लड़ते हैं। आपको राखना चाहिये आपका बैरोमीटर कहां जा रहा है? नीचे जाता है या ऊपर जाता है। और माननीय समर मुखर्जी जैसा दानिशमंद इन्मान, दूरदर्शी, समाजवाद को अच्छी तरह

जानने वाला वह यह आशा रखता है कि लोकदल से उनकी एकता हो जायेगी, बी. जे. पी. से एकता हो जायेगी? ऐसा अगर आप कर लेंगे तो यह भी एक इनक्लाब होगा। आपने अपना लिया उन सिद्धान्तों को जिनके खिलाफ जिन्दगी भर लड़ते रहे...

श्री समर मुखर्जी (हावड़ा) : आप जो काम करते हैं वही आपको खत्म करने का रास्ता तैयार करता है। इसलिए आपको बहुत धन्यवाद। आपने हमको यूनाइट किया और पूरी रात हम यूनाइट हो कर आपके खिलाफ लड़ते रहे। और यही फाइट को जमीन तैयार करते हैं। यही दुनिया का इतिहास है, दुनिया का इतिहास डाइ-लेक्टकली जिग जैंग कोर्स में चलता है। 1977 में आपने तैयार किया रास्ता, हमने तैयार नहीं किया। और आज आप उसी रास्ते पर जा रहे हैं। हम आपसे जंग नहीं करते। आपकी अनडिपेंडेंटिक बात के खिलाफ हम प्रोटेस्ट करते हैं और हम निकल जाते हैं।...

(व्यवधान)

(At this stage, Shri Samar Mukherjee and some other hon. Members left the House)

श्री जेलीसंह : डिप्टी स्पीकर साहब, यह मेरे दोस्त उसी बिल पर जिसको कापियां इन्होंने फाड़ी हैं, उसकी एक एक क्लाज पर बोलते रहे, एक एक अमेंडमेंट देते रहे हैं, उसके सुधार के लिये पूरा यत्न करते रहे। फिर हमको दबा दिया आज की रात ही हमारा इनक्लाब आ जायेगा, हम बहुत इकट्ठा रहे हैं। यही इनक्लाब लाओंगे जो लागे जाते हों, हमारी बात भी सुनने के लिये तैयार नहीं? मैंने तो कोई लाठी नहीं मारी। यह इनक्लाब जा रहा है, या आ रहा है। लेकिन वह इनक्लाब कौन होगा? यह खुनी इनक्लाब लाना चाहते हैं, और हम सामंश इनक्लाब लाना चाहते हैं। हम आर्थिक इनक्लाब लाना चाहते हैं, यह पॉलिटिकल इनक्लाब लाना चाहते हैं। पॉलिटिकल इनक्लाब हम लायें। अंग्रेज को हमने निकाल दिया। कौन कहता है कि कांग्रेस ने नहीं निकाला?

[श्री जैल सिंह]

पंडित जवाहर लाल नेहरू को प्रधान मंत्री किसी लिहाज से नहीं बनाया, बल्कि इस लिये प्रधान मंत्री बने कि उनके भंडे के नीचे हिन्दुस्तान ने जंग जीती शान्तियुग से जीती। और आज दूसरी जंग लड़ रहे हैं आर्थिक तौर पर। यह आर्थिक क्रान्ति श्रीमती इन्दिरा गांधी के भंडे के नीचे आयगी और कोई दुनिया की ताकत उसका नहीं रोक सकती। इनका मैं नहीं निकालना चाहता। इनकाब की आमद की जब टनकार पड़ेगी तो कहीं पीछे न जाये। वह बेबूनियाद बातों पर जा रहे हैं। कम्युनिस्ट पार्टी का नाम बदनाम कर दिया है हिन्दुस्तान में। यह कम्युनिज्म नहीं है, यह है अपांचूनिज्म कि हर बात को डेमोक्रेसी का नाम दे दो। अपांचू-लिज्म यह सारी बीमारियों को पैदा करने लिज्म यह सारी बीमारियों को पैदा करने के लिए इस्तीफा करते रहे। और इन सारी बीमारियों से तमाम बीमारियों से हम हिन्दुस्तान के अन्दर लड़ेंगे।

हमारे मित्र हैं मजदूर, गवर्नमेंट एम्प्लोईज। हम उनकी भलाई का ध्यान रखेंगे। लेकिन यह बात उसको भी समझायेंगे कि दांस्त आपको तो खाने को मिलता है, हमें उनकी तरफ ध्यान देने दो जो भूख मरते हैं, जिनके आंसू बह रहे हैं। यह तो चले गये, मैं उनको सुनाने के लिए नहीं कहना चाहता, बल्कि रेकार्ड में रखना चाहता हूँ पार्लियामेंट को और जो बातें ललकार ललकार कर कह गये हैं उनको बताना चाहता हूँ... ताकि जब कभी मौका आये तो वह देख सके। यह हमारे ही त्रिल में है, यह श्रीमती इन्दिरा गांधी ही कर सकती हैं, जो इस बात के लिये सबह में लेकर शाम तक यत्न करती हैं। हमारे हिन्दुस्तान के 68 करोड़ इंसान हैं, उनकी दानों आंखों के आंसूओं को हमें देखना होगा। वह कैसे पीछे जायेंगे? जब तक 48 परसेंट आबादी जो कि गरीबी की रेखा के नीचे

है, जिनको महीने में केवल 65 रुपये मिलते हैं, उनके ऊपर ध्यान देना है।

ये हजारों रुपया लेने वालों की वकालत करते हैं, उनके भी ये हमदर्द नहीं हैं, उनसे इनको चन्दा मिलता है और बना बनाया दफ्तर मिल जाता है, इलेक्शन इनका होता है। आप जानते हैं कि क्या होता है, ये हड़ताल क्यों नहीं बन्द करने देना चाहते। आपकी बात हमने बन्द नहीं की, सिर्फ ये हड़ताल करवाना चाहते हैं। ये सिर्फ कांग्रेस (आई) के लोग ही हैं जो दिन-रात इस बात को दंखते हैं, गरीबों को दंखकर तरस खाते हैं-

इलाही, इनके हिस्से के गम भी मुझको अता कर बे,

इन मासूम आंखों में नमी दंखी नहीं जाती।

मैंने कल भी इनको कहा था कि लीनिन का लिट्टेचर पढ़ो, कार्ल-मार्क्स का पढ़ो, स्तुशेव का पढ़ो। बड़ी खुशी से पढ़ लें, हमारा भी कई बातों से इतिफाक है, समाजवाद आना चाहिये। उससे गरीबों का भला होता है, मेहनतकश का दालत मिलती है, काम मिलता है, मूनाफाखोरों को बुलाया जा सकता है। लेकिन यह बात मैं इनको भी कहता हूँ कि याद रखें कि हिन्दुस्तान में आपका कम्युनिज्म पनप नहीं सकता और आपके हाथों पनप नहीं सकता क्योंकि जो आपने म.का-परस्ती दिखाई है, जगह-जगह पर अपांचूनिज्म दिखाया है, वहां के ये बड़े गरीबों के हिमायती हैं? आज कहते हैं कि डेमोक्रेसी का कत्ल हो रहा है, कहां गयी थी इनकी जबान जब इसी हिन्दुस्तान के प्राइम मिनिस्टर ने एक रैज्यू-नेशन पेश किया और वह रैज्यूलेशन क्या था, डेमोक्रेसी के गले पर एक तलवार थी। क्या तलवार थी, आपको याद होगा?

इसी सामने की सीट पर हिन्दुस्तान की एक्स-प्राइममिनिस्टर जो उस समय इलैक्शन लड़ी, इन तमाम पार्टियों ने बड़ी ताकत लगाई, लेकिन वह जीतकर आई चिक-मंगलूर से और जब यहां सेशन अटेंड करने आईं तो ये बर्दाश्त नहीं कर सकें। इन्होंने उनके खिलाफ एक्शन लिया, सिर्फ मंम्बरी से ही नहीं हटाया बल्कि इंदिरा जी को जेल भिजवाया। किस इन्सान के आंसू गिरें, उस वक़्त डेमोक्रेसी कतल हो रही थी? यह हमारे कम्युनिस्ट भा जो उस समय प्राइम मिनिस्टर के साथ थे, जब जनता राज आया तो कहते हैं कि हम डेमोक्रेसी की राखी करते हैं। यह बहादुर डेमोक्रेसी की राखी अकेले क्यों नहीं करते? कभी किसी के साथ शामिल हैं कभी किसी के साथ।

हमने हमारी नेता श्रीमती इंदिरा गांधी ने यह साबित किया कि कांग्रेस इनके खिलाफ थी, हमारे खिलाफ कम्युनिस्ट पार्टी भी थी जनता वाले और जितने भी लोग थे सब ताकतों खिलाफ थी लेकिन हिन्दुस्तान के एवाम ने कहा कि आज इंदिरा जी, अपने देश को संभालो, इस देश को बचाओ। तो हमको, इंदिरा जी को राज-करने की शक्ति दी, किम ने? हम नहीं मानते हैं कि हमको अमीरों ने दी है, गरीबों ने, मजदूरों ने, किसानों ने, विद्यार्थियों और सरकारी कर्मचारियों ने दी है। गरीब आरामियों ने हिम्मत की और इंदिरा जी के हाथ में हिन्दुस्तान की वागडार सौंपी और कहा कि आपको हिन्दुस्तान में और दूसरे देशों में हिन्दुस्तान को इज्जत और सम्मान को बढ़ाना है, लोगों को शांति देनी है, लोगों की जिन्दगी और माल की रक्षा करनी है, लड़ाई भगड़ो और फिरकंदारी को झूकाना है। हम को संसार में यह साबित करना है कि हिन्दुस्तान एक बड़ी काम है। आज दुनिया में हम इतने बड़े हो गये हैं, हमारे विरोधी दल के भाइयों ने जो 3 साल में गिरा दिया था वह गिरावट भी हमने दूर कर के यह साबित किया है कि दुनिया का कोई भी बड़ा फैसला हिन्दुस्तान की मर्जी के बगैर नहीं हो सकता और जो हिन्दुस्तान चाहे उसे कोई नहीं रोक सकता। यह ताकत हमको मिली है, इस लिये उस ताकत का हम राजायज इस्तेमाल नहीं करेंगे।

मेरा स्थान है कि श्री समर मुखर्जी गुस्से में चले गए हैं और जा कर सोचेंगे। अगर वह मेरी बात मान ले, तो दुनिया की कचहरी में वे भी जाएं और हम भी जाएं। हम सरकारी तौर पर नहीं जाएंगे। हम सरकारी लिबास को उतार कर जाएंगे। अगर गरीब आदमी ने हमारा साथ दिया, हमारे साथ बाजू खड़ा किया, तब वह हमारे साथ आ जाएं। अगर वह उनके साथ बाजू खड़ा कर दें, तो हम उनके साथ हों जाएंगे। लेकिन मुझे यकीन है कि वह ऐसा नहीं करेंगे। वह कहते हैं कि मजदूरों से पूछ लो, एं आई टी यू सी से पूछ लो। फिर कहते हैं कि कम्युनिस्ट पार्टी से पूछ लो, वह अवाम की राय है। आज दुनिया में एक ऐसा हाकिम भी है, जो कहता है कि अल्लाह ने कह दिया है कि फांसी दो दो और वह रोजाना दो ढाई सौ आदमियों को फांसी दे देता है।

उसी तरह ये लोग कहते हैं कि अवाम ने कहा है कि इसको मार दो, यह अदालत ठीक नहीं है, पीपल कोर्ट हानी चाहिए। वही तय करते हैं कि ये पीपल हैं और ये पीपल नहीं हैं। मैं मानता हूँ कि इस बिल के बाद वे एक तूफान खड़ा करने की कोशिश करेंगे। लेकिन फैसला हां जाएगा कि गरीबों का कौन हिमायती है और अमीरों के साथ कौन जुड़ा हुआ है, एक्सप्लायट कौन करता है और मच्चाई के साथ गरीबों के साथ कौन है।

उन्होंने चैलेंज किया, हर तकरीर में चैलेंज किया कि हम आपका मुकाबला करेंगे। हम तो उनको मारते-पीटते नहीं। ये नौजवान कभी बोलते हैं, तो हम उन्हें सामांश करवाते हैं और कहते हैं कि इन लोगों की इज्जत रखा, इन्हें कुछ न कहा। लेकिन ये बार-बार उठते थे, जैसे चेंबर में कांटे लगे हुए हैं। फिर भी हम बर्दाश्त करते हैं। क्या यह कोई भागने का मौका था। उन्हें वांटिंग में हिस्सा लेना चाहिए था। सारी रात गुज़ार दी और फिर चलते बने। परमात्मा उनको जिन्दा रखे और वे फिजिकली जिन्दा रहें।

[श्री जैल सिंह]

इन शब्दों के साथ मैं हाउस से अपील करता हूँ कि यह जो बिल हम लाए हैं, इसको परवानगी दे दी जाए ।

MR. DEPUTY-SPEAKER: The question is:

"That the Bill be passed."

The motion was adopted.

MR. DEPUTY-SPEAKER: The House stands adjourned to re-assemble at 11 A.M. to-day.

3.58 hrs.

(16.9.81)

The Lok Sabha then adjourned till Eleven of the Clock on Wednesday September 16, 1981 Bhadra 25, 1903 (Saka).